

SEVENTY-THIRD DAY

(Thursday, May 15, 1941)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Leonard.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Gilmer
Allen	Goodman
Allison	Halsey
Alsup	Hanna
Avant	Hardeman
Bailey	Hargis
Baker	Harris of Dallas
Bean	Harris of Hill
Bell	Hartzog
Benton	Heflin
Blankenship	Helpinstill
Boone	Henderson
Brawner	Hileman
Bridgers	Hobbs
Brown	Howard
Bruhl	Howington
Bullock	Hoyo
Bundy	Huddleston
Burkett	Huffman
Burnaman	Hughes
Carlton	Humphrey
Carrington	Hutchinson
Cato	Isaacks
Celaya	Jones
Chambers	Kelly
Clark	Kennedy
Cleveland	Kersey
Coker	Kinard
Colson, Mrs.	King
Connelly	Klingeman
Craig	Knight
Crossley	Lansberry
Crosthwait	Lehman
Daniel	Leyendecker
Davis	Little
Deen	Lock
Dickson of Bexar	Love
Donald	Lowry
Dove	Lucas
Duckett	Lyle
Dwyer	McAlister
Ellis	McCann
Eubank	McDonald
Evans	McGlasson
Favors	McLellan
Ferguson	McMurry
Files	McNamara
Fitzgerald	Manford
Fuchs	Manning
Gandy	Markle
Garland	Martin

Matthews	Senterfitt
Mills	Sharpe
Montgomery	Shell
Moore	Simpson
Morgan	Skiles
Morris	Smith of Bastrop
Morse	Smith of Atascosa
Murray	Spacek
Nicholson	Spangler
Pace	Stanford
Parker	Stinson
Pevehouse	Stubbs
Phillips	Taylor
Price	Turner
Rampy	Vale
Reed of Bowie	Voigt
Reed of Dallas	Walters
Ridgeway	Wattner
Rhodes	Weatherford
Roark	White
Roberts	Whitesides
Sallas	

Absent

Dickson of Nolan

Absent—Excused

Anderson	Thornton
Bray	Winfree

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"Lord, Thou art God, and Thou knowest our ways. From all of our agreements and our differences wilt Thou bring much that is good, much that will endure to bless our people, much that will really please Thee. To that end give us a spirit of co-operation in these last days, and may we rejoice together in the consciousness of work well done. In Jesus' name. Amen."

LEAVES OF ABSENCE
GRANTED

Mr. Thornton was granted leave of absence for today, on account of illness, on motion of Mr. Klingeman.

Mr. Bray was granted leave of absence for today, on account of important business, on motion of Mr. Spangler.

Mr. Hardeman was granted leave of absence temporarily, for today, on account of important business, on motion of Mr. Heflin.

Mr. Crosthwait was granted leave of absence temporarily, for today, on

account of important business, on motion of Mr. Taylor.

Mr. Blankenship was granted leave of absence temporarily for today, on account of important business, on motion of Mr. McGlasson.

COMMUNICATIONS

The Speaker laid before the House, and had read the following communications,

Austin, Texas, April 25, 1941.

Honorable Homer Leonard, Speaker of the House of Representatives, Austin, Texas.

Dear Mr. Leonard: It is with a feeling of the most sincere appreciation that I wish to express to you and to each individual Member of the House of Representatives my heartfelt thanks and profound gratitude for the kindly sentiments of respect for my deceased husband, Oscar F. Chastain, a former Member of the House, which prompted the adoption by a unanimous vote of the House of the recent resolution in memory of my husband. The expressions therein of appreciation of his life and services will ever be cherished in my memory; and most especially do I wish to thank my own Representatives, Mr. Burkett and Mr. Crossley, the original sponsors of the resolution who constituted the committee of the House in the preparation thereof.

Sincerely yours,

MRS. OSCAR F. CHASTAIN.

D33 D.BMA42 68 DL Govt
HF Washington DC
12 1023A

Honorable Homer Leonard, Speaker of the House of Representatives, Austin, Texas.

I have just received an official copy of H. S. R. No. 249 asking that all necessary steps be taken at once to assure continued production and delivery of needed supplies and munitions to the Democracies. I appreciate the patriotic and courageous position of the Texas House of Rep-

resentatives and am doing all in my power to carry out these objectives. Please advise the House of my full cooperation. Regards.

W. R. POAGE,
Congressman,
11th Texas District.

COMMUNICATIONS IN REGARD TO OLD AGE ASSIST- ANCE

On motion of Mr. Alsup, the following communications were ordered printed in the Journal:

May 13, 1941.

Hon. Oscar M. Powell, Executive Director, Social Security Board, Washington, D. C.

Will existing Texas plan relating to eligibility of applicants for old age assistance conform with recent amendments to the Federal Social Security Act? If it does not, will said Board refuse to match State funds after July first this year? Please make a direct statement relative to this matter.

LON E. ALSUP, Member,
House of Representatives.

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DX Washington DC
14 1941 May 15 AM 735

Hon. Lon E. Alsup, House of Representatives, Austin, Texas.

Re your telegram May 14, conformity of Texas law and Social Security Act amendments. Chapter 495, Section 4, House Bill No. 8, Laws of 1936, as amended by Senate Bill No. 9, Laws of 1939, has provision that in calculating resources of applicant, resident homestead shall not be considered. Senate Bill No. 9, Section 4, also includes provision that any accumulated cash or loan value on life insurance policy or policies not in excess of \$1,000 shall not be taken into consideration in calculating resources of said applicant and aid to said applicant shall not be denied or reduced or his need minimized in any way on account of said life insurance policy or policies. These provisions will be out of conformity with Social Security Act amendments of 1939, ef-

fective July 1, 1941, which require that State plans must provide that the State agency shall in determining need take into consideration any other income and resources of an individual claiming assistance. Intent of resources amendment to Social Security Act does not render ineligible persons who own resources such as homestead and insurance, but if such resources exist State agency should be authorized to consider all income and resources in determining their effect upon applicant's needs. In addition to above questions, legislative action will be necessary in order to secure conformity with Social Security Act amendments of 1939, which specify that State plan must "provide safeguards which restrict the use or disclosure of information concerning applicants and recipients to purposes directly connected with the administration of public assistance." Social Security Board under Social Security Act has no authority to make grants after July 1, 1941, to States whose public assistance plans are not in conformity with recent amendments to Act. House Bill No. 611 meets minimum requirements of Social Security Act amendments. Senate Bill No. 825 has provisions which present question of conformity. Public assistance representative Miss Eleanore Schopke, in regional office, San Antonio, will be glad to discuss these amendments with you.

OSCAR M. POWELL,
Executive Director.

On motion of Mr. Harris of Hill, the following communications were ordered printed in the Journal:

Honorable Luther A. Johnson, House of Representatives, Washington, D. C.

Rumor persists that if Texas Legislature does not reincorporate provision to consider ability of relatives to support aged that Federal matching will be withdrawn. Please send me reliable opinion.

Your old friend,

L. W. (PETE) HARRIS.

Hon. L. W. Harris, House of Representatives.

Re your telegram, information given me by Social Security Board

indicates alleged rumor not well founded. Regards.

LUTHER A. JOHNSON, M. C.

REPORT OF SUBCOMMITTEE ON AGRICULTURE

Hon. W. H. Rampy, on the part of the House, submitted the following report:

The Farm Conditions of Texas

The farm problem of Texas is probably the most important one facing the people at this time. The buying power of Texas farmers has not been up to parity during the past 10 years. So serious is the Texas farm problem that nearly one-half million people moved from farm to town during the period from 1930 to 1940.

A committee composed of Senators L. J. Sulak of La Grange; Marshall Formby of McAdoo, from the Senate, and Representatives Ben Sharpe of Paris; W. H. Rampy of Winters, and Roger Q. Evans of Denison, all from the House of Representatives, held meetings in March and April of 1941 at Hallettsville, Houston, Athens, Temple, Cisco, Lubbock, Harlingen, Waxahachie and Denison, where they heard reports from farmers and farm leaders, and other leading citizens of Texas pertaining to the farm problems in this State.

These meetings were well attended, and in most instances most of the talking was done by farmers who told their problems and suggested many changes to help their situation.

Farmers in different parts of Texas have different problems, but there are many problems which confront all farmers in this State.

No. 1. The most serious problem in Texas is soil erosion. At every meeting, all farmers agreed that soil erosion had done more to destroy the wealth of Texas than any other one thing. In parts of Texas the soil has washed away and the rich topsoil of Texas has found its resting place in the Gulf of Mexico. In the western part of the State soil has blown away, but farmers have recognized this danger and in using good conservation methods are succeeding in keeping the soil where nature originally placed it.

The Triple-A Farm Program has

done much to encourage farmers to conserve their soil and to build up their land for future generations instead of wasting it as has been done in the past.

No. 2. The second problem confronting the Texas farmer is his loss of purchasing power, or the lack of parity on the prices of the products he sells compared with the prices he has to pay when he buys.

It is hard for a farmer to take 8¢ cotton and buy a \$900.00 car, made by \$10.00 to \$15.00 per day labor, and it is hard for him to maintain the high standard of living to which his family is entitled with 8¢ cotton, 55¢ and 60¢ wheat, 6¢ hogs and other low price products which the farmers must sell.

Cotton should be selling for at least 16¢, wheat should be at least \$1.00 per bushel, hogs 10¢, and other products in proportion of the products that farmers sell. Cattle prices along with sheep prices have been holding up well.

Whatever kind of farm program we have, the parity payment to farmers should be larger in order to keep up his purchasing power.

No. 3. Problem number three is home ownership among farmers. Home ownership among farmers should be encouraged. The best community is the one composed of medium size farms, and of farmers who own their own homes and have settled permanently, or permanent tenants. These people are interested in the community as a whole, in the churches, schools, the playgrounds and parks of that community.

Both the State and Federal Government should provide more ways for deserving farmers to buy a small or medium sized farm and pay for it at a rate of interest of slightly more than 2%, over a period of 20 years. The Federal Loan policy is wrong in that it requires that the house and other improvements on the place be worth in some cases as much as the land itself.

We are striving towards that goal for every farm family to have a modern house with running water, electricity, and all other modern improvements, but it is much better to take Government money and enable the farmers to get that first start in get-

ting hold of some land, and let him live in the kind of house he chooses to live in until he is more able to build the proper home. In this manner there will be more fine farm homes in the long run.

No. 4. The differential freight rates and the high tariff on manufactured goods has caused a low purchasing power among the farmers of Texas.

It is believed that the raising of the truck load limit will be of much benefit in reducing transportation rates in Texas. Much of the farmers' profit on all of his products is taken up by the high cost of transportation in distributing it to where it is needed.

No. 5. It is believed that there must be some sort of farm program to offset the injustice done the farmers by the high tariff. The farmer needs to be paid a subsidy or some sort of parity. The Triple A has been very successful and it is better than a domestic allotment program could be. However, many changes need to be made. Under the program in recent years, the large farmer has been helped too much and the small farmer not enough.

It is suggested that no farmer or rancher receive a Government check for more than \$500.00, unless he receives his pro rata part of land rented to tenants.

In many cases, Texas land owners have bought tractors, have taken the Government checks and hired cheap labor to work their farms, and thus eliminated thousands of tenants. In fact, nearly eighty thousand farm families abandoned the farm between 1930 and 1940. Because of the practicability of the tractor, it has been natural for tractor farming to replace a good many tenants during the past ten years, but it is believed that it was never intended for the Government to cooperate with any large land owner and cause tenants to have to leave the farms.

The benefit payments should be based somewhat upon a family need basis, and certainly a land owner working two farms should not be allowed the same benefit payment on the second farm as he was allowed on the first.

The method of allotment of acres

for many crops should also be changed. Each farm family should be allowed to produce so much cotton or so much wheat, or a certain amount of other products, or else the acreage should be based upon the amount of land farmed up to a point which would amount to a decent income for that family.

Many farmers who were already diversifying before the Triple A Program have been unduly punished because their acreage has been cut the same percentage as the farmers who had not been diversifying.

In determining the size of farm, the kind of land, the locality, and the kind of crop to be grown must be considered. It will take more acres of wheat land than it does of cotton land for a farmer to make a living. Consequently, it will take more cotton land than it takes of alfalfa land or truck-growing land for a farmer to make a living, and it will take more acres in some parts of Texas than it does in other parts for a farmer to raise enough cotton to provide a decent standard of living for his family.

Under the present world conditions, it is necessary to have controlled production and a benefit payment for farmers, but it must be worked out to help the average farmer a greater percentage than it does the large farmer, and the Farm Program must be arranged to encourage ownership of average sized farms in Texas. The program must also be adjusted to encourage large farm owners to rent their farms to average tenants instead of taking the benefit checks and hiring cheap labor and working the farms themselves with tractors.

No. 6. The teaching of Vocational Agriculture in the high schools and colleges of Texas will be as beneficial to the agricultural industry of this State as almost anything that can be done. It was a great day for the boys of Texas when Vocational Agriculture was substituted for courses which would not help them in later years. Here is where the real farm relief begins.

Students of Vocational Agriculture in high schools and colleges are taught the means of making a better livelihood when they undertake the

responsibility of making a living for their family.

Boys who learn how to profitably raise cattle, sheep, hogs, poultry and other livestock, and who learn how to make a profit out of cotton, wheat, or other farm products, will fare well in days to come.

The teaching of Vocational Agriculture should be encouraged in Texas. Youngsters taught to make a profit in their early days of farming will still make that profit when they start making a living for their own families.

FORMBY,
Senator.

RAMPY,
Representative.

COMMUNICATION FROM STATE COMPTROLLER

The following communication was ordered printed in the Journal:

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of
the House of Representatives,
Austin, Texas.

Dear Sir: The Court of Civil Appeals in the case of F. C. Giebel, et al. vs. George H. Sheppard, held certain provisions in the coin-operated machine tax law unconstitutional. One of these provisions was Subsection 3 of the law declaring machines a public nuisance for failure to pay the tax; another and the most dangerous was their ruling that the levying section of the Act was ambiguous and not clear as to who should pay the tax. This decision applied to the former law but was handed down after the enactment of the present law. Another case, State of Texas vs. George T. Smith, in Tarrant County, is now pending before the Court, attacking the constitutionality of the present law on this same provision. Pat Neff, Jr., Assistant Attorney General, is of the opinion that the entire law may be held invalid as it was in the former ruling and has urged that we amend the law to correct these questionable features.

If the Act should be held invalid, the \$181,000.00 annual collections now allocated to Old Age Pension

and the Available School Funds would be affected.

House Bill No. 224, introduced by Representative Jasper N. Reed, was prepared to correct the errors in the present law. The new bill does not change the rate of tax nor the allocation of funds. It is strictly a corrective measure and would probably be considered a noncontested bill. The revenue derived from the coin-machine tax is credited one-fourth to the available school fund and three-fourths to Texas old age assistance fund.

House Bill No. 363 is another bill introduced by Mr. Reed, which is also a corrective measure. The Admission Tax Law as now written is vague and indefinite as to who is subject to such tax and it has no penalty provisions whatever, which makes it almost unenforceable.

The new bill (House Bill No. 363) is patterned after the Federal Law. It will be much easier to enforce and will greatly increase the present revenue, without a change in the tax rate. It is very much the same as the present law, with penalty provisions added. The revenue derived from the admission tax is credited, one-fourth to the available school fund and three-fourths to Texas old age assistance fund.

My only interest in the two bills, above referred to, is to avoid possible loss of revenue which could be collected uniformly if certain errors are corrected.

Your personal consideration of these corrective measures will be appreciated.

Yours very truly,

GEO. H. SHEPPARD,
Comptroller of
Public Accounts.

(Mr. Halsey in the Chair.)

BILL RECOMMITTED

Mr. Kinard moved that Senate Bill No. 348 be recommitted to the Committee on Public Lands and Buildings.

Mr. Reed of Bowie moved to table the motion by Mr. Kinard.

The motion to table was lost.

Question then recurring on the motion by Mr. Kinard that Senate

Bill No. 348 be recommitted to the Committee on Public Lands and Buildings, it prevailed.

BILLS REREFERRED

Mr. Donald moved that House Bill No. 696 be withdrawn from the Committee on State Affairs and referred to the Committee on Appropriations, and that House Bill No. 697 be withdrawn from the Committee on Banks and Banking and referred to the Committee on Appropriations.

The motion prevailed.

(Speaker in the Chair.)

NOTICE GIVEN

Mr. Hughes gave notice that he would, on the next legislative day, move to take up for consideration at that time House Bill No. 627, which bill was heretofore laid on the table subject to call.

MESSAGE FROM THE SENATE

Austin, Texas, May 15, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. B. No. 470, A bill to be entitled "An Act amending Article X of House Bill No. 8, Acts Regular Session, 47th Legislature, so as to define the terms 'new,' 'cosmetics,' and 'playing cards'; and declaring an emergency."

Adopted

H. C. R. No. 139, Granting the House of Representatives permission to suspend the Joint Rules and take up and consider House Bill No. 228.

Respectfully,

BOB BARKER,
Secretary of the Senate.

CONFERENCE COMMITTEES INSTRUCTED

Mr. Burkett submitted the following motion:

Mr. Speaker: I move that the conferees on the part of the House on Senate Bill No. 423 and House Bill No. 272 be instructed to delete

from said bills all unnecessary items and amounts which are not in every respect essential to the proper function and operation of the State Government during the next biennial.

BURKETT.

Mr. Bean moved to table the motion by Mr. Burkett.

The motion to table was lost.

Question then recurring on the motion by Mr. Burkett, it prevailed.

MOTION TO INSTRUCT CONFERENCE COMMITTEE ON HOUSE BILL NO. 272

Mr. Hanna moved that the Conference Committee on House Bill No. 272 be instructed to delete from the conference report the appropriation of Seventy-two Thousand, Six Hundred (\$72,600.00) Dollars for rodent control under A. & M. College.

Mr. McDonald moved to table the motion by Mr. Hanna.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—76

Allison	Evans
Alsup	Files
Avant	Gilmer
Baker	Halsey
Bean	Hardeman
Bell	Helpinstill
Boone	Hileman
Bridgers	Hobbs
Brown	Huddleston
Bullock	Hughes
Burnaman	Hutchinson
Carlton	Isaacks
Carrington	Kelly
Cato	Kennedy
Celaya	Lehman
Cleveland	Leyendecker
Coker	Little
Colson, Mrs.	Lock
Connelly	Love
Crosthwait	Lowry
Daniel	Lucas
Dickson of Bexar	Lyle
Dickson of Nolan	McDonald
Donald	Manning
Dove	Markle
Ellis	Matthews

Montgomery
Morris
Morse
Pevehouse
Phillips
Reed of Dallas
Roberts
Sallas
Sharpe
Shell
Simpson
Skiles

Smith of Atascosa
Spacek
Stanford
Stinson
Stubbs
Taylor
Turner
Vale
Walters
Wattner
Weatherford
White

Nays—53

Allen	Klingeman
Bailey	Knight
Benton	Lansberry
Bruhl	McAlister
Bundy	McCann
Burkett	McGlasson
Clark	McLellan
Craig	McMurry
Davis	McNamara
Deen	Martin
Duckett	Moore
Eubank	Morgan
Favors	Murray
Ferguson	Nicholson
Fitzgerald	Pace
Gandy	Parker
Goodman	Price
Hanna	Rampy
Hargis	Reed of Bowie
Harris of Dallas	Rhodes
Henderson	Roark
Howington	Senterfitt
Hoyo	Smith of Bastrop
Humphrey	Spangler
Jones	Voigt
Kinard	Whitesides
King	

Absent

Anderson	Hartzog
Blankenship	Heflin
Brawner	Howard
Chambers	Huffman
Crossley	Kersey
Dwyer	Manford
Fuchs	Mills
Garland	Ridgeway
Harris of Hill	

Absent—Excused

Bray	Winfree
Thornton	

MOTION TO INSTRUCT COMMITTEE ON SENATE BILL NO. 423

Mr. Deen moved that the House conferees on Senate Bill No. 423 be

instructed to delete from the conference report the appropriation of One Million Dollars (\$1,000,000.00) for the Big Bend National Park.

Mr. Dickson of Bexar raised a point of order on further consideration of the motion by Mr. Deen at this time, on the ground that the appropriation has been heretofore adopted by the House and the vote reconsidered and tabled.

The Speaker overruled the point of order.

Mr. Bean moved to table the motion by Mr. Deen.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—56

Avant	Klingeman
Bean	Lehman
Bell	Love
Boone	Lowry
Bridgers	Lyle
Brown	Manford
Carrington	Manning
Cato	Markle
Celaya	Matthews
Daniel	McCann
Dickson of Bexar	Mills
Donald	Montgomery
Dove	Morris
Duckett	Morse
Dwyer	Pace
Gilmer	Pevehouse
Goodman	Ridgeway
Halsey	Roberts
Hardeman	Sallas
Helpinstill	Simpson
Hobbs	Skiles
Hoyo	Smith of Atascosa
Huffman	Stanford
Hughes	Taylor
Humphrey	Turner
Hutchinson	Weatherford
Isaacks	White
Kersey	Whitesides

Nays—68

Allen	Benton
Allison	Brawner
Alsup	Bruhl
Bailey	Bundy
Baker	Burkett

Carlton	Leyendecker
Clark	Little
Coker	Lock
Connelly	Lucas
Craig	McAlister
Crossley	McGlasson
Davis	McLellan
Deen	McMurry
Ellis	McNamara
Eubank	Martin
Favors	Moore
Ferguson	Murray
Files	Nicholson
Fitzgerald	Parker
Gandy	Phillips
Garland	Price
Hanna	Rampy
Hargis	Reed of Bowie
Harris of Dallas	Rhodes
Harris of Hill	Roark
Henderson	Senterfitt
Howington	Sharpe
Huddleston	Smith of Bastrop
Jones	Spacek
Kennedy	Spangler
Kinard	Stinson
King	Stubbs
Knight	Walters
Lansberry	Wattner

Present—Not Voting

Cleveland	Reed of Dallas
Morgan	

Absent

Blankenship	Hartzog
Bullock	Heflin
Burnaman	Hileman
Chambers	Howard
Colson, Mrs.	Kelly
Crosthwait	McDonald
Dickson of Nolan	Shell
Evans	Vale
Fuchs	Voigt

Absent—Excused

Anderson	Thornton
Bray	Winfrey

Question then recurring on the motion by Mr. Deen, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—64

Allen	Benton
Allison	Bruhl
Alsup	Bundy
Bailey	Carlton

Clark	Lucas
Coker	McAlister
Craig	McCann
Crossley	McGlasson
Davis	McLellan
Deen	McMurry
Ellis	McNamara
Eubank	Martin
Favors	Moore
Ferguson	Murray
Files	Nicholson
Fuchs	Pevehouse
Gandy	Phillips
Garland	Rampy
Hanna	Reed of Bowie
Harris of Dallas	Rhodes
Hobbs	Roark
Howington	Roberts
Huddleston	Senterfitt
Jones	Sharpe
Kennedy	Spacek
Kinard	Spangler
King	Stubbs
Knight	Vale
Lansberry	Voigt
Lehman	Walters
Leyendecker	Wattner
Lock	Weatherford

Nays—64

Avant	Hughes
Baker	Humphrey
Bean	Hutchinson
Bell	Isaacks
Blankenship	Kersey
Boone	Klingeman
Brawner	Little
Bridgers	Love
Brown	Lowry
Bullock	Lyle
Carrington	Manford
Cato	Manning
Celaya	Markle
Cleveland	Matthews
Daniel	Mills
Dickson of Bexar	Montgomery
Donald	Morgan
Dove	Morse
Duckett	Pace
Dwyer	Parker
Evans	Price
Fitzgerald	Ridgeway
Gilmer	Sallas
Goodman	Simpson
Halsey	Skiles
Hardeman	Smith of Bastrop
Hargis	Smith of Atascosa
Hartzog	Stanford
Helpinstill	Taylor
Henderson	Turner
Hoyo	White
Huffman	Whitesides

Present—Not Voting	
Harris of Hall	Kelly
Hileman	Reed of Dallas

Absent

Anderson	Dickson of Nolan
Burkett	Heflin
Burnaman	Howard
Chambers	McDonald
Colson, Mrs.	Morris
Connelly	Shell
Crosthwait	Stinson

Absent—Excused

Bray	Winfree
Thornton	

COMMUNICATION FROM TEXAS
LIQUOR CONTROL BOARD

On motion of Mr. Taylor, the following communications were ordered printed in the Journal:

Austin, Texas, May 7, 1941.

To the Honorable Members of the House of Representatives and the Senate of Texas:

Several Members of the House of Representatives and several Members of the Senate have requested me to express my reactions to the veto of House Bill No. 567, which provides for the temporary employment of twenty-five additional inspectors; four auditors; the payment of refunds for sales of alcoholic beverages outside of Texas and refunds for unexpired licenses and permits in political subdivisions that have voted dry.

It goes without saying that I am disappointed that the bill carrying the appropriation recommended unanimously by the Texas Liquor Control Board for emergency purposes has been vetoed by the Governor. I would not have asked that this appropriation be passed if I had not been sincere in making such recommendation to the Senate Finance Committee and the Appropriations Committee of the House.

I know of no better way to respond to the suggestions of Members of the Legislature with reference to this matter than to furnish each of you a copy of my letter of April 24, addressed to the Governor, requesting his favorable consideration of

the bill when it reached his desk. For that purpose I am submitting to you a mimeograph copy of that letter, which is hereto attached.

Sincerely yours,

BERT FORD, Administrator,
Texas Liquor Control Board.

Austin, Texas, April 24, 1941.

Honorable W. Lee O'Daniel, Governor of Texas, Capitol Station, Austin, Texas.

My dear Governor: On February 25, 1941, the Texas Liquor Control Board prepared and submitted to Senator A. M. Aikin, Chairman, Senate Finance Committee, and Honorable W. O. Reed, Chairman of the Appropriations Committee, a proposed bill providing for an emergency appropriation to be made available for enforcement purposes during the balance of the fiscal year ending August 31, 1941.

This bill was introduced in the House by Representative Augustine Celaya and became House Bill No. 567. It passed the House and the Senate both with an emergency clause by a sufficient number of votes to put it into immediate effect, if approved by you. The amount of money, if made available, would pay for the services of twenty-five additional inspectors and for four additional field auditors from May 1, 1941, to August 31, 1941, a period of four months, together with traveling expenses to enable more flexible operation of the entire personnel during that period.

Also provided in the bill is the sum of ten thousand dollars to be made available to pay refund claims already filed and expected to be filed for the fiscal biennium ending August 31, 1941, to conform with the provisions of the existing Texas Liquor Control Act. These refunds are for the purpose of paying the unexpired portions of beer licenses and liquor permits invalidated by local option elections and to refund taxes previously paid on liquor and beer exported out of the State for consumption in other States. No special appropriation for such purpose was made by the Forty-sixth Legislature and the existing provi-

sions of the Texas Liquor Control Act were rendered inoperative by reason of the constitutional limitation on the Legislature to provide appropriations for a period exceeding two years. It will be recalled that the appropriations for the preceding biennium are provided in amendments to the Texas Liquor Control Act made effective September 1, 1937, but without reenactment of the appropriation provisions funds are not available beyond a period of two years from the effective date of the Legislative act. The unpaid claims are approximately three hundred at the present time and amount in dollars and cents to approximately seven thousand dollars.

Request for emergency appropriations to be used for the employment of inspectors and auditors and traveling expenses is prompted by emergency conditions developing throughout the State as a result of the national defense program of the Federal Government. The congregation of persons in given localities inevitably presents a law enforcement problem and we have had immense congregations and will have many more during the next few years. By this time practically everyone is familiar with the development at Corpus Christi where the Government has spent between twenty and thirty million dollars for the development of a naval base. The work incident to such development has caused a great influx of population, some of which is naturally of a lawless nature. This influx has been from all over the United States, and the result has been to present a problem to law enforcement officials which necessitated on our part the establishment of a field organization there of four men. These men are drawn in from other sections, weakening the normal established enforcement personnel at such other locations.

The immensity of the development at Brownwood has been the cause of much public comment and I am given to understand that there will eventually be located at this one camp a military force of sixty thousand men. Chief Supervisor C. A. Paxton recently returned from

Brownwood where a meeting was held with county officials, as well as the provost marshal and captain, lieutenants and members of the military police force where the general problem of law enforcement was discussed. Military authorities are urgently requesting civil authorities to do all in their power to maintain orderly conditions within the communities in which the military training program is in progress. While military police are actively engaged in cooperating with civil authorities, such activities are necessarily confined to enlisted personnel, although military authorities are willing that the police organization appear in court to testify in all matters of law violation involving civilians. The necessity is urgent that proper civilian officers cope with the violations involving civilians preying upon the enlisted personnel and be able to give the utmost cooperation to the military police in order that the activity of that organization may be made effective where touching law violations generally.

In Brownwood no increase in established police organization has been provided. The sheriff is limited to a certain number of deputies by operation of law. City police forces are as they existed prior to the recent developments. It is urgent that all law enforcement bodies be expanded to meet the problems created by the activities incident to the defense program. I have mentioned specifically Corpus Christi and Brownwood. I would call attention to the fact that military activities are developing at such places as Galveston, San Antonio, El Paso, Palacios, Abilene, Mineral Wells, Laredo, Rio Grande City, Brownsville, Marshall, Houston, San Angelo, Dallas, Fort Worth, Stamford, and possibly many other points. That activity embraces training of the Army, the Army Air Force and the Naval Air Force. Aside from these activities there are many industrial programs such as the building of twelve destroyers in Orange, Texas, shipbuilding programs at Beaumont and Houston, development of chemical plants at Freeport, LaMarque and possibly other locations, proposed development of munitions and airplane assembly plants at Fort Worth

and many other activities at this time of an unknown nature. Surely it must be realized that this feverish congestion of population entails a large problem in law enforcement generally and with particular reference to liquor law enforcement.

Appropriations for the current biennium were very severely reduced from original estimates of requirements as submitted to the Board of Control by the Texas Liquor Control Board. Being conscious of the fact that the Legislature was urgently striving for economy in departmental expenditures, estimates for the biennial requirements were reduced almost twenty per cent below the appropriation made available for the biennium ending August 31, 1939. Appropriations made available during the past four years were as follows:

Fiscal year ending	
August 31, 1938	\$969,870
Fiscal year ending	
August 31, 1939	969,870
Fiscal year ending	
August 31, 1940	732,690
Fiscal year ending	
August 31, 1941	732,690

Actual expenditures during the last three closed fiscal years were as follows:

Fiscal year ending	
August 31, 1938	\$907,026.56
Fiscal year ending	
August 31, 1939	875,985.54
Fiscal year ending	
August 31, 1940	723,517.30

It may be seen from this that the Board has consistently reduced its operating cost during the past few years.

For the current biennium original requests submitted were for the approximate sums of eight hundred thousand per year. These appropriations were reduced by the Legislature to the amount of \$732,690, a total of something more than twenty-six per cent reduction from the 1939 level. This severe reduction has constituted a severe handicap in enforcement activity, although I feel

that through the development of greater efficiency, the improvement of the character of man-power and education of personnel it has been made possible to produce results comparable or probably in excess of that produced at greater expense.

The time has come now, however, with emergency developments when the reduction of force made applicable for 1940 and 1941, is a serious handicap in the endeavor to meet responsibilities imposed by law and the natural demands of the public. We cannot ignore the desire of military authorities to protect the moral conditions affecting the personnel of our growing army, nor should we wish to. It is our way to participate in the national defense program and to give aid to the government in every way possible. It is not an attempt to usurp any functions of Federal officers, but to render that aid which is expected of local government and likewise for the protection of our civilian population.

At the present time our recommendation to the Legislature for appropriations to be available for the fiscal years ending August 31, 1942 and August 31, 1943, are at the level of approximately \$871,000 per year. Our estimates were partly based upon anticipation of unusual conditions, but they have developed much faster than anticipated.

I also want to call your attention to the passage of House Bill No. 373, regulating the sale of medicinal liquors, which, if approved by you, will necessarily require closer supervision of medicinal drug stores than has been required for the reason that various other law violations are defined in this bill which have not heretofore existed. This bill is designed to protect widespread sale of liquor in dry counties. Since the drug store sales under this bill will be very severely curtailed, it necessarily follows that a very greatly increased law enforcement activity must supplement the enforcement of this particular Act in order that those dry counties will be reasonably protected from the evil effects of the bootleggers.

The Board is unanimous in its approval of House Bill No. 567. In fact, I understand that Dr. Brad-

field's secretary, Mrs. Elizabeth Rogers, has already called you with reference to this matter at his request.

If I can be of any further assistance or furnish you with more information, please do not hesitate to call upon me.

With kindest personal regards, I am

Yours very truly,

BERT FORD,
Administrator.

Austin, Texas, May 8, 1941.

To All Members of the House of Representatives,

Austin, Texas

Honorable Sirs: At the request of Lieutenant James E. Taylor, Member of the House of Representatives from Navarro County, I am giving you the following factual information with reference to the Texas Liquor Control Board and its activities:

The Texas Liquor Control Act went into effect November 15, 1935. Through April 30, 1941, its revenues have amounted to \$36,366,638.51. \$24,549,097.63 have been allocated to the Old Age Assistance fund and \$7,082,823.80 to the Public School fund. The Board's expenditures have amounted to \$4,409,292.04.

The Board's revenues for the calendar year 1940 amounted to \$7,142,580.59 and the expenditures amounted to \$757,358.83.

The Board now has 56 less employees than it had September 1, 1939. The Board's appropriations for this biennium were reduced more than 24% as compared with the preceding biennium, or \$237,180.00 for each year, at the request of the undersigned.

There was a net gain of \$556,312.42 in Liquor Control Board revenues during 1940 as compared with 1939. There has been a net gain of \$219,205.58 in Liquor Control Board revenues during the first four months of 1941 as compared with the first four months of 1940.

For the calendar year 1940 the Board issued 4,200 liquor permits and 12,834 beer and wine licenses and checked 27,421 reports.

The Texas Liquor Control Act pro-

vides for the payment of refunds for sales of alcoholic beverages outside of Texas and refunds for unexpired licenses and permits in political subdivisions that have voted dry. An appropriation to cover these items was also in House Bill No. 912 which was passed by the House and the Senate two years ago and vetoed by the Governor. These unpaid claims are approximately 300 at the present time and can not be paid until the Legislature makes an appropriation for that purpose. If this is not done, then the only recourse each claimant has is to file his claim before the Committee on Claims and Accounts.

Inspectors for the Liquor Control Board reported 1,975 convictions during the year 1940, with 514 jail sentences and the assessment of \$181,877.11 in fines which went to the road and bridge funds in the respective counties where collected.

Inspectors filed 3,140 criminal cases, 1,643 licenses and permits were cancelled; 739 were suspended and 116 applications were refused.

Enforcement activities also included the capture and destruction of 422 illicit distilleries in 1940. Their destruction prevented the potential evasion of \$379,100.48 in state taxes alone. Inspectors assisted in filing 597 federal tax evasion cases and made 535 arrests.

Of Texas' 254 counties, 123 are wholly dry, permitting no alcoholic beverage in any form anywhere in the county. Of the 93 counties which permit the sale of distilled spirits, only 39 are wholly wet, all the others have some totally dry areas within them. Thirty counties permit only beer, but of these 30 counties only 10 are wholly wet for beer, leaving 20 with some dry areas. And lastly there are three counties which permit 14% beverages, but none of these counties is wholly wet. It is the duty of the Board to enforce the applicable provisions of the Act in each of these political subdivisions.

Still operations have been steadily on the decline except for the extreme portion of east and northeast Texas. Since House Bill No. 373 has been passed and since the tax on distilled spirits was increased from 96c per gallon to \$1.28 per gallon by House

Bill No. 8, it is the opinion of the writer that there will be a greater incentive for illicit manufacturing and bootlegging of corn liquor.

The Texas Liquor Control Board unanimously requested the passage of House Bill No. 567 because of the emergency conditions developing throughout the State as a result of the National Defense Program of the Federal Government and for the purpose of paying the above mentioned claims. Since the above numbered bills have been passed the emergency has been greatly increased, as I know you want the increased taxes collected and you also want the law enforced in the dry territories as well as the wet.

I tell you sincerely that the Texas Liquor Control Board can not collect the increased taxes which you have imposed and maintain the respect for the law which I believe you and your constituents will demand unless House Bill No. 567 is passed as an emergency measure.

Yours very truly,

BERT FORD, Administrator,
Texas Liquor Control Board.

Austin, Texas, May 13, 1941.

Lieutenant James E. Taylor, Member
of House of Representatives,

Capitol Station

Austin, Texas

Dear Mr. Taylor: Complying with your request I give you the following information:

Effective June 1, 1941, the tax on liquor is to be \$1.28 per gallon or an increase of 32c per gallon. It becomes the duty of the Texas Liquor Control Board under House Bill No. 8 to see that all floor stock in the hands of retailers is stamped with fractional stamps to represent the increase of 32c per gallon.

It is my estimate that this increase alone will bring in approximately \$400,000.00. A loss of 10% of this amount will amount to more than the salary portion of House Bill No. 567.

In addition thereto, stock in the hands of all wholesalers must be stamped with fractional stamps rep-

representing the 32c per gallon increase under House Bill No. 8.

I estimate that this item on June 1st will amount to approximately \$100,000.00.

I hope that Members of the Legislature will understand that this alone is a gigantic undertaking and a great responsibility which the Legislature and the Liquor Board are expecting me to carry out.

In addition to the defense program, if House Bill No. 373 becomes the law, our duties will also be increased.

Hoping this is the information desired and with kindest personal regards, I am

Yours very truly,

BERT FORD,

Administrator.

HOUSE BILL NO. 567 PASSED
NOTWITHSTANDING VETO
OF THE GOVERNOR

Mr. Taylor called up for consideration at this time, with veto by the Governor,

H. B. No. 567, A bill to be entitled "An Act making emergency supplementary appropriations for the support and maintenance of the Texas Liquor Control Board for the fiscal year ending August 31, 1941; for the payment of refund claims filed under the provisions of the Texas Liquor Control Act; providing regulations and restrictions in respect to the appropriations made herein; and declaring an emergency."

Question: Shall House Bill No. 567 be passed notwithstanding the Governor's veto?

House Bill No. 567 was passed, notwithstanding the Governor's veto, by the following vote:

Yeas—102

Allen	Brown
Alsop	Bruhl
Anderson	Bullock
Avant	Burnaman
Bean	Carlton
Bell	Carrington
Blankenship	Cato
Boone	Celaya
Brawner	Clark
Bridgers	Cleveland

Coker	Little
Colson, Mrs.	Lock
Craig	Love
Crossley	Lowry
Daniel	Lucas
Deen	Lyle
Dickson of Bexar	McAlister
Donald	McDonald
Dove	McGlasson
Duckett	McNamara
Ellis	Manning
Eubank	Markle
Evans	Matthews
Favors	Mills
Files	Montgomery
Fitzgerald	Moore
Gandy	Morgan
Garland	Morris
Gilmer	Morse
Halsey	Nicholson
Hardeman	Pevehouse
Hargis	Phillips
Harris of Dallas	Reed of Dallas
Harris of Hill	Ridgeway
Hartzog	Rhodes
Heflin	Roark
Helpinstill	Sallas
Henderson	Sharpe
Hileman	Shell
Hoyo	Skiles
Huffman	Smith of Bastrop
Hughes	Spacek
Humphrey	Spangler
Hutchinson	Stanford
Isaacks	Stinson
Kelly	Taylor
Kinard	Vale
Klingeman	Walters
Lansberry	Wattner
Lehman	Weatherford
Leyendecker	Whitesides

Nays—34

Allison	Knight
Bailey	McCann
Baker	McLellan
Bundy	McMurry
Burkett	Manford
Chambers	Martin
Connelly	Murray
Davis	Pace
Goodman	Parker
Hanna	Price
Hobbs	Reed of Bowie
Howington	Roberts
Huddleston	Senterfitt
Jones	Simpson
Kennedy	Stubbs
Kersey	Voigt
King	White

Absent

Benton	Fuchs
Crosthwait	Howard
Dickson of Nolan	Rampy
Dwyer	Smith of Atascosa
Ferguson	Turner

Absent—Excused

Bray	Winfree
Thornton	

Mr. Bell moved to reconsider the vote by which the motion prevailed, and to table the motion to reconsider.

The motion to table prevailed.

REASON FOR VOTE

I voted to override the Governor's veto on House Bill No. 567, after having originally voted "nay." My reason for doing this was to help put the bill into immediate effect. After it became apparent that the House had voted to override the Governor's veto, I then changed my vote in order that the bill might go into immediate effect.

CRAIG.

The first roll call having shown the bill passed over the Governor's veto, I changed my vote from "no" to "aye" to help make the bill effective immediately, in view of the fact that it had already become law notwithstanding my vote against it.

MATTHEWS.

MESSAGE FROM THE SENATE

Austin, Texas, May 15, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. B. No. 305, A bill to be entitled "An Act amending Sections 3, 4, and 6, Chapter 21, General and Special Laws, Forty-third Legislature of Texas, Regular Session, providing for the reduction of promoters' license fees and bond in cities of less than twenty-five thousand (25,000), etc.; and declaring an emergency."

H. B. No. 362, A bill to be entitled "An Act creating the Lavaca County

Flood Control District in Lavaca County, Texas, and defining its powers, etc.; and declaring an emergency." (With amendments.)

H. B. No. 431, A bill to be entitled "An Act making it unlawful to sell tickets to any sports event, amusement, or entertainment in Texas for which an admission charge is made in excess of the purchase price of the ticket appearing thereon, without having procured a license therefor from the Commissioner of Labor Statistics of the State of Texas, etc.; and declaring an emergency." (With amendments.)

H. B. No. 738, A bill to be entitled "An Act to amend Article 177 of Title 4, Chapter 1, of the Code of Criminal Procedure, to include in said Article 177 the offense of conversion by any executor or guardian having charge of any estate, real, personal, or mixed; and declaring an emergency."

H. B. No. 875, A bill to be entitled "An Act to amend Section 8-A, Senate Bill No. 21, Chapter 2, General Laws of the Forty-sixth Legislature, Regular Session, 1939, which said Senate Bill No. 21 amended Chapter 482, General and Special Laws, Forty-fourth Legislature, Third Called Session, etc.; and declaring an emergency."

H. B. No. 900, A bill to be entitled "An Act to amend Senate Bill No. 220, Chapter 354, Acts of the Regular Session of the Forty-second Legislature, page 844, by adding a new section thereto to be known as Section 3a following Section 3, so as to authorize expenses in the investigation of crime and an allowance per mile, etc.; and declaring an emergency."

Adopted

H. C. R. No. 89, Granting W. D. Muncy and wife, Flora K. Muncy, permission to sue the State of Texas. (With amendment.)

H. C. R. No. 91, Authorizing the State Board of Control to execute to the City of Austin certain easements.

H. C. R. No. 106, Granting an easement for street, boulevard, and

highway purposes to the City of Austin.

H. C. R. No. 131, Authorizing W. F. Howell and wife, Parker County, Texas, to sue the State of Texas for damages. (With amendments.)

H. C. R. No. 132, Authorizing the Enrolling Clerk to make certain corrections in House Bill No. 354.

H. C. R. No. 134, Authorizing the Enrolling Clerk of the House of Representatives to make certain changes in House Bill No. 903.

H. C. R. No. 137, Authorizing the Enrolling Clerk to make correction in "Section 3" of House Bill No. 978.

S. C. R. No. 48, Authorizing exchange of the flag of the Battle of San Jacinto for the flag of the Battle of the Alamo, etc.

Respectfully,

BOB BARKER,
Secretary of the Senate.

CONFERENCE COMMITTEES APPOINTED

The Speaker announced the appointment of the following Conference Committee on House Bill No. 272:

Messrs. Reed of Dallas, McDonald, Skiles, Cleveland and Halsey.

The Speaker announced the appointment of the following Conference Committee on House Bill No. 284:

Messrs. Alsup, Morris, Lock, Bullock and Lucas.

The Speaker announced the appointment of the following Conference Committee on House Bill No. 233:

Messrs. Alsup, Morris, Lock, Bullock and Allison.

RELATIVE TO SENATE BILL NO. 5

Mr. Bell moved to reconsider the vote by which Senate Bill No. 5 was recommitted to the Committee on State Affairs.

Mr. Morris moved to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—62

Allison	Humphrey
Avant	Isaacks
Baker	Kelly
Bean	Kennedy
Benton	Kersey
Blankenship	Lansberry
Brawner	McCann
Bridgers	McDonald
Bruhl	Martin
Bullock	Matthews
Bundy	Mills
Burkett	Moore
Carlton	Morgan
Carrington	Morris
Cato	Morse
Cleveland	Murray
Connelly	Nicholson
Crossley	Parker
Ellis	Price
Eubank	Reed of Bowie
Favors	Reed of Dallas
Ferguson	Ridgeway
Fitzgerald	Rhodes
Fuchs	Roberts
Gandy	Senterfitt
Halsey	Skiles
Hanna	Smith of Atascosa
Harris of Hill	Turner
Howington	Voigt
Huffman	Walters
Hughes	Wattner

Nays—67

Allen	Evans
Alsup	Files
Bailey	Garland
Bell	Goodman
Boone	Hargis
Brown	Harris of Dallas
Burnaman	Hartzog
Celaya	Helpinstill
Chambers	Henderson
Clark	Hileman
Coker	Hobbs
Craig	Hoyo
Daniel	Jones
Davis	King
Deen	Klingeman
Dickson of Bexar	Knight
Donald	Lehman
Dove	Leyendecker
Duckett	Little
Dwyer	Love

Lowry	Sallas
Lucas	Sharpe
Lyle	Shell
McLellan	Simpson
McMurry	Smith of Bastrop
McNamara	Spacek
Manford	Stinson
Manning	Stubbs
Montgomery	Taylor
Pace	Vale
Pevehouse	Weatherford
Phillips	White
Rampy	Whitesides
Roark	

Present—Not Voting

Markle

Absent

Anderson	Hutchinson
Colson, Mrs.	Kinard
Crosthwait	Lock
Dickson of Nolan	McAlister
Gilmer	McGlasson
Heflin	Spangler
Howard	Stanford
Huddleston	

Absent—Excused

Bray	Thornton
Hardeman	Winfree

(Pending consideration of the motion. Mr. McMurry occupied the Chair temporarily.)

(Speaker in the Chair.)

Question then recurring on the motion to reconsider, yeas and nays were demanded.

The roll of the House was called and the vote announced as follows: Yeas, 63; nays, 65.

A verification of the vote was requested.

Mr. Bell moved a call of the House pending the verification, and the call was duly ordered.

The roll of the "yeas" and "nays" was again called and the verified vote resulted as follows:

Yeas—62

Allen	Baker
Alsup	Bell
Bailey	Benton

Boone	King
Brown	Klingeman
Burnaman	Knight
Celaya	Lehman
Chambers	Leyendecker
Coker	Little
Craig	Love
Daniel	Lowry
Davis	Lucas
Deen	Lyle
Dickson of Bexar	McGlasson
Donald	McLellan
Dove	McMurry
Duckett	McNamara
Dwyer	Manning
Evans	Pace
Files	Pevehouse
Garland	Rampy
Goodman	Sallas
Hargis	Simpson
Hartzog	Smith of Bastrop
Helpinstill	Spacek
Hileman	Stinson
Hobbs	Taylor
Hoyo	Vale
Huddleston	Weatherford
Hutchinson	White
Jones	Whitesides

Nays—63

Allison	Isaacks
Avant	Kelly
Bean	Kennedy
Blankenship	Kersey
Brawner	Lansberry
Bridgers	McAlister
Bruhl	McCann
Bullock	McDonald
Bundy	Manford
Burkett	Matthews
Carlton	Mills
Carrington	Moore
Cato	Morgan
Cleveland	Morris
Connelly	Murray
Crossley	Nicholson
Ellis	Parker
Eubank	Phillips
Favors	Price
Ferguson	Reed of Bowie
Fitzgerald	Reed of Dallas
Gandy	Ridgeway
Gilmer	Rhodes
Halsey	Roberts
Hanna	Senterfitt
Harris of Dallas	Skiles
Harris of Hill	Smith of Atascosa
Henderson	Stanford
Howington	Voigt
Huffman	Walters
Hughes	Wattner
Humphrey	

Present—Not Voting

Markle

Absent

Anderson	Lock
Clark	Montgomery
Colson, Mrs.	Morse
Crosthwait	Roark
Dickson of Nolan	Sharpe
Fuchs	Shell
Heflin	Spangler
Howard	Stubbs
Kinard	Turner

Absent—Excused

Bray	Thornton
Hardeman	Winfree
Martin	

The Speaker announced that the motion to reconsider the vote by which Senate Bill No. 5 was recommended to the Committee on State Affairs was lost.

AUTHORIZING CERTAIN CORRECTION IN HOUSE BILL NO 411

Mr. Smith of Atascosa offered the following resolution:

H. C. R. No. 146, Authorizing certain Corrections in House Bill No. 411.

Whereas, House Bill No. 411 has passed the House and Senate; and

Whereas, It was amended in the Senate and the caption does not conform to the body of the bill; now, therefore, be it

Resolved, by the House of Representatives, the Senate concurring, That the Enrolling Clerk of the House be, and is hereby authorized and instructed to amend the caption of House Bill No. 411.

The resolution was read second time and was adopted.

PROVIDING FOR CERTAIN ADJOURNMENT PERIOD

Mr. Harris of Dallas offered the following resolution:

H. C. R. No. 144, Providing for Certain Adjournment Period.

Be it resolved, by the House of Representatives, the Senate concurring, That each House grant the

other the right to adjourn from Thursday, May 15, until Monday, May 19.

HARRIS of Dallas,
PHILLIPS.

The resolution was read second time and was adopted.

SENATE BILL ON FIRST READING

The following Senate bill, received from the Senate, was laid before the House, read first time, and referred to the appropriate committee, as follows:

S. B. No. 470, to the Committee on Rules.

BILL ORDERED NOT PRINTED

On motion of Mr. Morris, Senate Bill No. 470 was ordered not printed.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills and resolutions:

H. C. R. No. 139, Suspending certain Joint Rules to consider House Bill No. 228.

S. C. R. No. 60, Authorizing certain Corrections in Senate Bill No. 437.

S. C. R. No. 57, Recalling House Bill No. 922 from the Senate.

H. B. No. 25, "An Act amending Chapter 277, Acts of the Regular Session of the Forty-second Legislature as heretofore amended, by adding Sections 1a and 1b hereto; excepting from the definition of 'Motor Carrier' and 'Contract Carrier' certain persons, firms and corporations; exempting certain persons, firms and corporations transporting under certain circumstances and conditions their own employees, property or property in which they have an interest as consignee or agent; defining a private motor vehicle owner; exempting private motor vehicle owners from said Act; providing for

the repeal of all laws and parts of laws in conflict with this Act; providing that if any section, clause or provisions of this Act be held unconstitutional or invalid, it shall not affect the remaining portions; and declaring an emergency."

H. B. No. 251, "An Act making an appropriation for the use of the San Antonio River and Conservancy District; providing manner for signing warrants; providing that any unexpended balance on August 31, 1943, be repaid to the State of Texas; and declaring an emergency."

H. B. No. 866, "An Act making an appropriation out of the State Highway Fund for refunding donations made for the purpose of making surveys and investigation on Highway No. 22, and which work was never accomplished; and declaring an emergency."

H. E. No. 123, "An Act providing for the revision and compilation of the abstracts of patented, titled and surveyed land by the Commissioner of the General Land Office; making an appropriation for the printing and binding of same; providing for the distribution and sale of same by the Comptroller of Public Accounts; and declaring an emergency."

H. B. No. 203, "An Act amending Article 3152, Revised Civil Statutes of Texas, 1925, to provide for the service upon the contestee in a primary nomination contest of a copy of the grounds of contest together with the notice of the date set for hearing by providing that service may be had upon the agent or attorney of the contestee, or by leaving such notice with some person over the age of sixteen years at the usual place of residence or business of the contestee; and declaring an emergency."

H. B. No. 202, "An Act amending Article 3148, Revised Civil Statutes of Texas, 1925, so as to provide for the service of notice in a primary election contest upon the opposing candidate, by providing that such notice may be served upon the agent or attorney of the opposing candidate, or by leaving the notice with some person over the age of sixteen (16) years at the usual place of residence or business of the opposing

candidate; and declaring an emergency."

H. B. No. 392, "An Act amending House Bill No. 933, Acts of the Forty-sixth Legislature of the State of Texas; and declaring an emergency."

S. B. No. 441, "An Act providing for a closed season on wild deer and wild turkey in Burleson County for a period of five (5) years, etc.; and declaring an emergency."

S. B. No. 294, "An Act authorizing cities to issue interest-bearing time warrants for the completion of waterworks extensions and improvements where the governing body finds that proceeds from sale of bonds are not sufficient for the purpose, etc.; and declaring an emergency."

S. B. No. 437, "An Act amending Section 1, Chapter 35, Acts of the Special Laws of the 33rd Legislature, same being Senate Bill No. 253; relating to the Clifton Independent School District, etc.; and declaring an emergency."

S. B. No. 427, "An Act defining the jurisdiction of the County Court of Navarro County and diminishing its civil jurisdiction, etc.; and declaring an emergency."

S. B. No. 465, "An Act making an appropriation of One Thousand, Six Hundred (\$1,600.00) Dollars or so much thereof as may be necessary, to pay a certain judgment rendered on June 19, 1939, in the District Court of Gonzales County, Texas, etc.; and declaring an emergency."

S. B. No. 184, "An Act providing for the appointment of an official court reporter in and for each District Court, Criminal Court, and County Court of Bexar County, etc.; and declaring an emergency."

S. B. No. 20, "An Act providing a more efficient fiscal system for the State of Texas; creating a Director of the Budget, etc.; and declaring an emergency."

S. B. No. 82, "An Act to amend Section (d) of Article 4706, Revised Civil Statutes of 1925, as amended by House Bill No. 928, Acts of the 46th Legislature, Regular Session,

page 394; and declaring an emergency."

S. B. No. 296, "An Act creating a special road law for Briscoe County, Texas, etc.; and declaring an emergency."

S. B. No. 61, "An Act providing that in certain counties the County Judge shall receive an additional annual salary of Fifteen Hundred (\$1500.00) Dollars for serving as a member of the Juvenile Board, etc.; and declaring an emergency."

S. B. No. 30, "An Act declaring the sovereignty of Texas along its sea coast, etc.; and declaring an emergency."

S. B. No. 335, "An Act appropriating from the Unemployment Compensation Fund the sum of Two Thousand, Six Hundred Sixty-seven and 64/100 (\$2,667.64) Dollars, to be paid to the Wiergate Naval Stores, Inc., Wiergate, Texas, as a refund of unemployment compensation taxes erroneously collected by the Texas Unemployment Compensation Commission of and from said Wiergate Naval Stores, Inc., etc.; and declaring an emergency."

S. B. No. 421, "An Act amending Article 5139 of the Revised Civil Statutes of Texas, 1925, by adding a new article to be known as Article 5139B, etc.; and declaring an emergency."

S. B. No. 449, "An Act providing in counties having a population of more than five hundred thousand (500,000), for the extension not to exceed thirty (30) days after the expiration of the term, of the period during which a grand jury may sit to conclude its investigation; and declaring an emergency."

S. B. No. 461, "An Act to permit John R. Howe and wife, Emma Howe, of Hays County, Texas, to sue, and join the State of Texas and Texas Highway Commission in a suit against Hays County, etc.; and declaring an emergency."

S. B. No. 445, "An Act to define certain means and methods of taking certain fish in the fresh waters of Hamilton County, Texas, etc.; and declaring an emergency."

S. B. No. 454, "An Act extending

oil and gas mineral leases granted by the State on areas covered by the coastal waters of the State or within the Gulf of Mexico in cases in which the War Department refuses to grant permits to the lessee or owner of the lease to drill thereon, etc.; and declaring an emergency."

HOUSE BILL ON FIRST READING

The following House bill introduced today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Baker:

H. B. No. 1038, A bill to be entitled "An Act providing for a closed season on wild deer and wild turkey in Upshur and Camp Counties for a period of five (5) years; prescribing penalties for the violation of this Act; repealing all laws in conflict; and declaring an emergency."

Referred to the Committee on Game and Fisheries.

RECESS

Mr. Gilmer moved that the House recess until 3:15 o'clock p. m., today.

Mr. Manford moved that the House recess until 3:00 o'clock p. m., today.

Mr. Carlton moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

The motion of Mr. Manford prevailed, and the House accordingly, at 12:55 o'clock p. m., took recess until 3:00 o'clock p. m., today.

AFTERNOON SESSION

The House met at 3:00 o'clock p. m., and was called to order by Hon. G. H. Little.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence for this afternoon, as follows:

Mr. Morris, on account of illness, on motion of Mr. Harris of Dallas.

Mr. Ellis, on account of important business, on motion of Mr. Bailey.

Mr. Dickson of Bexar, on account of important business, on motion of Mr. Manford.

Mr. Huffman, on account of important business, on motion of Mr. Isaacks.

RELATIVE TO DESKS FOR THE HALL OF THE HOUSE

Mr. Skiles offered the following resolution:

H. S. R. No. 270, Relative to desks for Hall of House of Representatives,

Whereas, By the adoption of H. S. R. No. 27 the House of Representatives authorized a committee of five Members to investigate the possibility of obtaining new desks and chairs for the House; and

Whereas, The Committee has found from investigations that the National Youth Administration is equipped to build such equipment and has furnished a number of Federal and State offices with desks and chairs of finest quality and superb workmanship; and

Whereas, The National Youth Administration has agreed to build desks and chairs for the House, patterned after models of some approved by the membership, for the cost of materials; and

Whereas, The present desks and chairs are outmoded and in need of repair and the installation of new equipment of this kind on this basis will add to the appearance and utility of the House for an extremely low sum; now, therefore,

Be It Resolved, That the Committee heretofore appointed be and it is hereby authorized to make the necessary arrangements with the National Youth Administration for the building of this equipment on a cost of material basis, and the Committee on Contingent Expenses is hereby directed to supply the N. Y. A. with the necessary materials and to pay for same from the Contingent Expense Fund of the House. The Committee of Contingent Expense is empowered to dispose of such replaced equipment as might not be of service and utility to the House, and in disposing of the equipment so replaced and unnecessary, said Committee on

Contingent Expense shall give Members of the House preference in the purchase of their own desk and chair.

The resolution was read second time.

Mr. Hartzog offered the following amendment to the resolution:

Amend House Simple Resolution No. 270, by adding after the word "chair" in the first paragraph the following:

"And proper ventilation and a more symmetrical and efficient seating arrangement."

And by adding after the words materials in Section 5 the following:

"Of which all woods used shall be Texas wood."

The amendment was adopted.

Question then recurring on the resolution by Mr. Skiles, as amended, it was adopted.

Mr. Skiles moved to reconsider the vote by which the resolution was adopted.

The motion to reconsider prevailed.

Question: Shall the resolution by Mr. Skiles be adopted?

EXPRESSING APPRECIATION OF MEMBERS OF THE HOUSE

Mr. Eubank offered the following resolution:

H. S. R. No. 269, Expressing appreciation of Members of the House.

Whereas, On February 10, the House adopted a Resolution authorizing the Speaker to appoint a committee of five Members to investigate the possibility of securing desks and chairs for the House of Representatives; and

Whereas, The committee found it impossible to find parts with which to properly repair the old equipment; and

Whereas, This committee was advised that the National Youth Administration was adequately equipped to manufacture both desks and chairs of a very high quality; and

Whereas, There is now a sample of this work in the hall of the House of Representatives which with a few

changes prove satisfactory; now, therefore, be it

Resolved, That we express our thanks and appreciation to Mr. Skiles and his efficient committee consisting of Representatives Alsup, Bullock, Wattner, and Bean and also to Mr. J. C. Kellam, Director of the National Youth Administration for their cooperation and efficient service to this group; and be it further

Resolved, That copies of this Resolution be given to Mr. Skiles and members of his committee and that a copy be sent to Mr. J. C. Kellam.

EUBANK.

The resolution was read second time.

Signed—Leonard, Speaker; Allen, Allison, Anderson, Avant, Bailey, Baker, Bell, Benton, Blankenship, Boone, Brawner, Bray, Bridgers, Brown, Bruhl, Bundy, Burkett, Burnaman, Carlton, Carrington, Cato, Celaya, Chambers, Clark, Cleveland, Coker, Mrs. Colson, Connolly, Craig, Crossley, Crosthwait, Daniel, Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett, Dwyer, Evans, Ellis, Eubank, Favors, Ferguson, Miss Files, Fitzgerald, Fuchs, Gandy, Garland, Gilmer, Goodman, Halsey, Hanna, Hardeman, Hargis, Harris of Dallas, Harris of Hill, Hartzog, Heflin, Helpinstill, Henderson, Hileman, Hobbs, Howard, Howington, Hoyo, Huddleston, Huffman, Hughes, Humphrey, Hutchinson, Isaacks, Jones, Kelly, Kennedy, Kersey, Kinard, King, Klingeman, Knight, Lansberry, Lehman, Leyendecker, Little, Lock, Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McGlasson, McLellan, McNamara, McMurry, Manford, Manning, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morris, Morse, Murray, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Rampsy, Reed of Bowie, Reed of Dallas, Ridgeway, Roark, Roberts, Rhodes, Sallas, Senterfitt, Sharpe, Shell, Simpson, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stanford, Stinson, Stubbs, Taylor, Thornton, Turner, Vale, Voigt, Walters, Weatherford, White, Whitesides and Winfree.

On the motion of Mr. Lyle the names of all the Members of the

House were added to the Resolution as signers thereof.

The Resolution was unanimously adopted.

TO PROVIDE FOR THE APPOINTMENT OF CERTAIN COMMITTEE

Mr. Kinard offered the following resolution:

H. S. R. No. 272, To provide for the appointment of certain committee to make certain investigation.

Whereas, There is a State Law that provides that every State Department in this State shall give a ten per cent (10%) preference to all honorably discharged soldiers, sailors, marines and nurses of the United States Army and Navy, and

Whereas, It has come to the knowledge of this body that such law is not being complied with by all the Departments in this State; now

Therefore, Be It Resolved, By the House of Representatives that a committee of three (3) Members be appointed by the Speaker to make an inquiry as to how many soldiers, sailors, marines and nurses are employed, and if Department does not have its full quota ascertain the reason why, and

Be It Further Resolved, That this committee be instructed to report back to this body as soon as possible.

KINARD,
MANFORD.

The resolution was read second time.

Mr. Kersey moved that the resolution be referred to the Committee on Military Affairs.

Mr. Kinard moved to table the motion to refer.

Question recurring on the motion to table, yeas and nays were demanded.

The roll of the House was called and the vote announced as follows:

Yeas—75

Allen	Avant
Allison	Bailey
Alsup	Bean
Anderson	Benton

Boone	Kennedy
Brawner	Kinard
Brown	King
Bullock	Lansberry
Bundy	Lehman
Burnaman	Leyendecker
Carlton	Love
Cato	Lowry
Colson, Mrs.	Lucas
Connelly	Lyle
Crossley	McMurry
Daniel	Manning
Deen	Matthews
Dickson of Bexar	Mills
Donald	Moore
Dove	Morris
Duckett	Pevehouse
Dwyer	Phillips
Eubank	Price
Evans	Ridgeway
Ferguson	Rhodes
Files	Roberts
Fuchs	Sallas
Halsey	Simpson
Harris of Dallas	Skiles
Helpinstill	Smith of Atascosa
Henderson	Spacek
Hileman	Spangler
Howard	Stinson
Hoyo	Wattner
Huddleston	Weatherford
Hughes	White
Hutchinson	Whitesides
Jones	

Nays—22

Baker	Knight
Bell	McAlister
Bray	McCann
Craig	McGlasson
Davis	McNamara
Favors	Nicholson
Gandy	Reed of Bowie
Garland	Roark
Hobbs	Senterfitt
Howington	Smith of Bastrop
Kersey	Stanford

Absent

Bridgers	Hargis
Bruhl	Harris of Hill
Burkett	Hartzog
Carrington	Heflin
Celaya	Huffman
Chambers	Humphrey
Clark	Isaacks
Cleveland	Kelly
Coker	Klingeman
Dickson of Nolan	Lock
Fitzgerald	McDonald
Gilmer	McLellan
Goodman	Manford
Hanna	Markle

Montgomery	Shell
Morgan	Stubbs
Murray	Taylor
Pace	Turner
Parker	Vale
Rampy	Voigt
Reed of Dallas	Walters
Sharpe	

Absent—Excused

Blankenship	Martin
Crosthwait	Morse
Ellis	Thornton
Hardeman	Winfree

Mr. Kersey raised a point of order that there is not a quorum present.

The Chair sustained the point of order.

Mr. Reed of Bowie, moved a call of the House for the purpose of securing and maintaining a quorum, and the call was duly ordered.

The roll of the House was called and the following Members were present:

Mr. Speaker	Dickson of Bexar
Allen	Donald
Allison	Dove
Alsup	Duckett
Anderson	Dwyer
Avant	Ellis
Bailey	Eubank
Baker	Evans
Bean	Favors
Bell	Ferguson
Benton	Files
Boone	Fitzgerald
Brawner	Gandy
Bray	Garland
Bridgers	Gilmer
Brown	Goodman
Bullock	Halsey
Bundy	Hargis
Burkett	Harris of Dallas
Burnaman	Hartzog
Carrington	Heflin
Cato	Helpinstill
Chambers	Henderson
Clark	Hileman
Cleveland	Hobbs
Coker	Howington
Colson, Mrs.	Hoyo
Connelly	Huddleston
Craig	Hughes
Crossley	Humphrey
Daniel	Hutchinson
Davis	Isaacks
Deen	Jones

Kennedy	Pace
Kersey	Parker
Kinard	Pevehouse
King	Phillips
Klingeman	Price
Knight	Rampy
Lansberry	Reed of Bowie
Lehman	Ridgeway
Leyendecker	Rhodes
Little	Roark
Love	Roberts
Lowry	Sallas
Lyle	Senterfitt
McAlister	Sharpe
McCann	Shell
McDonald	Simpson
McGlasson	Skiles
McLellan	Smith of Bastrop
McMurry	Smith of Atascosa
McNamara	Spacek
Manford	Spangler
Manning	Stanford
Markle	Stinson
Matthews	Stubbs
Mills	Vale
Montgomery	Voigt
Moore	Wattner
Morgan	Weatherford
Morris	White
Murray	Whitesides
Nicholson	

Absent

Bruhl	Huffman
Carlton	Kelly
Celaya	Lock
Dickson of Nolan	Lucas
Fuchs	Reed of Dallas
Hanna	Taylor
Harris of Hill	Turner
Howard	Walters

Absent—Excused

Blankenship	Morse
Crosthwait	Thornton
Hardeman	Winfree
Martin	

A quorum was announced present.

Mr. McAlister moved to reconsider the vote by which the call of the House was ordered.

The motion to reconsider prevailed.

The motion for the call of the House was then lost.

Question again recurring on the motion by Mr. Kinard to table the motion to refer the resolution to the

Committee on Military Affairs, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—86

Allen	Hughes
Anderson	Humphrey
Avant	Hutchinson
Bailey	Isaacks
Baker	Jones
Bean	Kelly
Bell	Kennedy
Benton	Kinard
Boone	King
Brawner	Klingeman
Brown	Lehman
Bundy	Leyendecker
Burkett	Lock
Burnaman	Love
Carlton	Lowry
Clark	Lucas
Cleveland	Lyle
Colson, Mrs.	McGlasson
Crossley	McLellan
Daniel	McMurry
Davis	Manford
Deen	Matthews
Dickson of Bexar	Morgan
Donald	Morris
Dove	Nicholson
Duckett	Pace
Dwyer	Pevehouse
Ellis	Phillips
Eubank	Price
Evans	Rampy
Ferguson	Reed of Dallas
Files	Ridgeway
Fitzgerald	Rhodes
Fuchs	Roberts
Gandy	Sallas
Garland	Sharpe
Goodman	Simpson
Hargis	Smith of Atascosa
Harris of Dallas	Spacek
Helpinstill	Spangler
Henderson	Wattner
Hileman	White
Hoyo	Whitesides
Huddleston	

Nays—29

Alsup	Halsey
Bray	Hobbs
Bullock	Howington
Carrington	Kersey
Chambers	Knight
Connelly	McAlister
Craig	McCann
Favors	McNamara

Manning	Senterfitt
Markle	Smith of Bastrop
Mills	Stanford
Moore	Stinson
Murray	Stubbs
Reed of Bowie	Weatherford
Roark	

Present—Not Voting

Howard

Absent

Allison	Huffman
Bridgers	Lansberry
Bruhl	McDonald
Cato	Montgomery
Celaya	Parker
Coker	Shell
Dickson of Nolan	Skiles
Gilmer	Taylor
Hanna	Turner
Harris of Hill	Vale
Hartzog	Voigt
Heflin	Walters

Absent—Excused

Blankenship	Morse
Crosthwait	Thornton
Hardeman	Winfree
Martin	

Mr. Kinard moved to suspend the Rules relative to the consideration of resolutions until the above resolution is disposed of.

The motion to suspend the Rules prevailed by the following vote:

Yeas—83

Avant	Donald
Bailey	Dove
Baker	Duckett
Bean	Dwyer
Benton	Evans
Boone	Ferguson
Brawner	Fitzgerald
Brown	Fuchs
Bullock	Gandy
Bundy	Garland
Burkett	Goodman
Burnaman	Hargis
Carlton	Harris of Dallas
Carrington	Helpinstill
Chambers	Henderson
Colson, Mrs.	Hileman
Connelly	Howington
Crossley	Hoyo
Davis	Huddleston
Deen	Hughes
Dickson of Bexar	Humphrey

Hutchinson	Nicholson
Jones	Pace
Kelly	Parker
Kennedy	Pevehouse
Kinard	Phillips
King	Price
Lansberry	Rampy
Lehman	Reed of Dallas
Leyendecker	Ridgeway
Lock	Rhodes
Lowry	Roberts
Lucas	Sharpe
Lyle	Simpson
McLellan	Skiles
McMurry	Smith of Atascosa
Manford	Spacek
Manning	Spangler
Matthews	Wattner
Mills	White
Montgomery	Whitesides
Murray	

Nays—34

Allen	Love
Allison	McAlister
Alsup	McCann
Bell	McDonald
Bray	McGlasson
Cato	McNamara
Cleveland	Markle
Craig	Moore
Ellis	Morris
Eubank	Reed of Bowie
Favors	Roark
Files	Senterfitt
Halsey	Smith of Bastrop
Hobbs	Stanford
Kersey	Stinson
Klingeman	Stubbs
Knight	Weatherford

Present—Not Voting

Howard

Absent

Anderson	Heflin
Bridgers	Huffman
Bruhl	Isaacks
Celaya	Morgan
Clark	Sallas
Coker	Shell
Daniel	Taylor
Dickson of Nolan	Thornton
Gilmer	Turner
Hanna	Vale
Harris of Hill	Voigt
Hartzog	Walters

Absent—Excused

Blankenship	Martin
Crosthwait	Morse
Hardeman	Winfree

Question then recurring on the resolution by Mr. Kinard, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—103

Allen	Humphrey
Allison	Hutchinson
Alsup	Isaacks
Avant	Jones
Bailey	Kennedy
Baker	Kinard
Bean	King
Bell	Klingeman
Benton	Lansberry
Boone	Lehman
Brawner	Leyendecker
Bridgers	Lock
Brown	Love
Bullock	Lowry
Bundy	Lucas
Burkett	Lyle
Burnaman	McCann
Carlton	McDonald
Cato	McGlasson
Chambers	McLellan
Clark	McMurry
Cleveland	McNamara
Colson, Mrs.	Manford
Connelly	Mills
Crossley	Montgomery
Davis	Moore
Deen	Morgan
Dickson of Bexar	Morris
Dove	Murray
Duckett	Nicholson
Dwyer	Pace
Ellis	Parker
Eubank	Pevehouse
Evans	Phillips
Favors	Price
Ferguson	Rampy
Files	Rhodes
Fuchs	Ridgeway
Gandy	Roberts
Garland	Sharpe
Goodman	Shell
Halsey	Simpson
Hargis	Smith of Atascosa
Harris of Dallas	Spacek
Heflin	Spangler
Helpinstill	Stubbs
Henderson	Vale
Hileman	Wattner
Howington	Weatherford
Hoyo	White
Huddleston	Whitesides
Hughes	

Nays—14

Bray	Carrington
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Craig	Reed of Dallas
Kersey	Roark
Knight	Senterfitt
Markle	Smith of Bastrop
Matthews	Stanford
Reed of Bowie	Stinson

Present—Not Voting

Howard

Absent

Anderson	Hobbs
Bruhl	Huffman
Celaya	Kelly
Coker	Little
Daniel	McAlister
Dickson of Nolan	Manning
Donald	Sallas
Fitzgerald	Skiles
Gilmer	Taylor
Hanna	Turner
Harris of Hill	Voigt
Hartzog	Walters

Absent—Excused

Blankenship	Morse
Crosthwait	Thornton
Hardeman	Winfree
Martin	

INVITING GENE AUTRY TO ADDRESS A JOINT SESSION OF THE LEGISLATURE

Mr. Lucas offered the following resolution:

H. C. R. No. 141, Inviting Gene Autry to address a Joint Session of the Legislature.

Whereas, The Annual Texas Fiddlers' Contest will be held in Athens, Henderson County, Texas, May thirtieth; and

Whereas, This is the biggest event of its kind in the entire Southwest; and

Whereas, Fiddlers' bands and individual musicians from all over the country will be present and render original compositions and popular music as well as music of their native states and music of the years gone by; and

Whereas, The citizenship of Henderson County has invited the entire membership of the Texas Legislature to be its guests on this occasion; and

Whereas, Gene Autry, one of Texas' own sons, and one of our greatest

celebrities in the field of music and entertainment, has been invited to be one of the honored guests of the day; now, therefore, be it

Resolved my the House of Representatives, the Senate concurring, That Gene Autry be invited to address a Joint Session of the Texas Legislature if it is possible for him to accept the invitation to attend the Fiddlers' Contest; and be it further

Resolved, That the Chief Clerk of the House forward a copy of this resolution to Gene Autry, and to the Republic Studios.

LUCAS,
PACE.

The resolution was read second time and was adopted.

ADDITIONAL SIGNERS OF HOUSE BILL

By unanimous consent of the House, the following Members were authorized to sign bill as coauthor of same, as follows:

Mr. Alsup, Mr. Hardeman, Mr. Pevehouse and Mr. Coker: House Bill No. 611.

SUSPENDING CERTAIN JOINT RULES

Mr. Humphrey offered the following resolution:

H. C. R. No. 142, Suspending certain Joint Rules to consider House Bill No. 42.

Whereas, House Bill No. 42 has been on the House Calendar for a third reading since April 25; and

Whereas, The Forty-seventh Session of the Texas Legislature is drawing to a close; therefore

Be it resolved, by the House of Representatives, the Senate concurring, That the Joint Rules of the two Houses be suspended in order to allow the House of Representatives to bring up House Bill No. 42 on third reading and final passage on May 15, 1941.

The resolution was read second time and was adopted by the following vote:

Yeas—96

Allen Alsup
Allison Anderson

Avant	Hoyo
Bailey	Huddleston
Baker	Hughes
Bean	Isaacks
Bell	Jones
Benton	Kennedy
Boone	King
Brawner	Klingeman
Bray	Lansberry
Bridgers	Lock
Brown	Lowry
Bullock	Lucas
Bundy	Lyle
Burkett	McAlister
Burnaman	McCann
Carlton	McLellan
Cato	McMurry
Chambers	Manford
Clark	Manning
Cleveland	Markle
Coker	Matthews
Colson, Mrs.	Moore
Connelly	Morgan
Craig	Morris
Crossley	Nicholson
Daniel	Parker
Davis	Pevehouse
Dickson of Bexar	Phillips
Donald	Price
Dove	Rampy
Duckett	Reed of Bowie
Ellis	Reed of Dallas
Eubank	Ridgeway
Ferguson	Roark
Files	Sallas
Fitzgerald	Senterfitt
Gandy	Simpson
Garland	Skiles
Goodman	Smith of Bastrop
Halsey	Stanford
Hargis	Stinson
Hartzog	Stubbs
Heflin	Wattner
Helpinstill	Weatherford
Henderson	White
Hileman	Whitesides

Nays—19

Carrington	Love
Favors	McNamara
Harris of Dallas	Pace
Harris of Hill	Roberts
Hobbs	Sharpe
Howington	Smith of Atascosa
Hutchinson	Spacek
Kersey	Spangler
Knight	Voigt
Lehman	

Present—Not Voting

Howard

Absent

Bruhl	Leyendecker
Celaya	Little
Deen	McDonald
Dickson of Nolan	McGlasson
Dwyer	Mills
Evans	Montgomery
Fuchs	Murray
Gilmer	Rhodes
Hanna	Shell
Huffman	Taylor
Humphrey	Turner
Kelly	Vale
Kinard	Walters

Absent—Excused

Blankenship	Morse
Crosthwait	Thornton
Hardeman	Winfree
Martin	

MESSAGE FROM THE SENATE

Austin, Texas, May 15, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the Conference Committee report on Senate Bill No. 312 by the following vote: Yeas, 27; nays, 0.

Passed

H. B. No. 332, A bill to be entitled "An Act to amend Articles 120, 124, 126 and 128 of Chapter 7, Title 4 of the Revised Civil Statutes of Texas, 1925, etc.; and declaring an emergency."

H. B. No. 378, A bill to be entitled "An Act making appropriations to pay the Presidential Electors of Texas, etc.; and declaring an emergency."

H. B. No. 263, A bill to be entitled "An Act to amend Article 4742 of Chapter 3 of Title 78, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

H. B. No. 939, A bill to be entitled "An Act validating and approving all acts of the governing bodies of cities and towns of the State of Texas operating under the provisions of the General Laws of Texas, etc.; and declaring an emergency."

Adopted

H. C. R. No. 144, Granting each House the right to adjourn from Thursday, May 15th, until Monday, May 19th.

H. C. R. No. 146, Authorizing the Enrolling Clerk of the House to amend the caption of House Bill No. 411.

Respectfully,

BOB BARKER,
Secretary of the Senate.

SENATE BILL NO. 470 ON
SECOND READING

Mr. Morris moved that the Constitutional Rule requiring bills to be read on three several days be suspended, and that Senate Bill No. 470 be placed on its second reading and passage to third reading, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—128

Allen	Dove
Allison	Duckett
Alsup	Dwyer
Anderson	Ellis
Avant	Eubank
Baker	Evans
Bean	Favors
Bell	Ferguson
Benton	Files
Boone	Fitzgerald
Brawner	Fuchs
Bridgers	Gandy
Brown	Garland
Bullock	Gilmer
Burkett	Goodman
Burnaman	Halsey
Carlton	Hanna
Carrington	Hargis
Cato	Harris of Dallas
Celaya	Harris of Hill
Chambers	Hartzog
Clark	Heflin
Cleveland	Helpinstill
Coker	Henderson
Colson, Mrs.	Hileman
Connelly	Hobbs
Craig	Howard
Crossley	Howington
Daniel	Hoyo
Davis	Huddleston
Deen	Huffman
Dickson of Bexar	Hughes
Donald	Humphrey

Isaacks	Pace
Jones	Parker
Kelly	Pevehouse
Kennedy	Phillips
Kersey	Price
King	Rampy
Klingeman	Reed of Bowie
Knight	Reed of Dallas
Lansberry	Ridgeway
Lehman	Rhodes
Little	Roark
Lock	Roberts
Love	Sallas
Lowry	Senterfitt
Lucas	Shell
Lyle	Simpson
McAlister	Skiles
McCann	Smith of Bastrop
McGlasson	Smith of Atascosa
McLellan	Spacek
McNamara	Stanford
Manford	Stinson
Manning	Stubbs
Markle	Taylor
Matthews	Vale
Mills	Voigt
Montgomery	Walters
Moore	Wattner
Morgan	Weatherford
Morris	White
Murray	Whitesides

Absent

Bailey	Leyendecker
Bruhl	McDonald
Bundy	McMurry
Crosthwait	Nicholson
Dickson of Nolan	Sharpe
Hutchinson	Spangler
Kinard	Turner

Absent—Excused

Blankenship	Morse
Bray	Thornton
Hardeman	Winfree
Martin	

The Chair then laid before the House, on its second reading and passage to third reading,

S. B. No. 470, A bill to be entitled "An Act amending Article X of House Bill No. 8, Acts Regular Session, 47th Legislature, so as to define the terms 'new,' 'cosmetics,' and 'playing cards'; and declaring an emergency."

The bill was read second time.

Mr. Morris offered the following amendment to the bill:

Amend Senate Bill No. 470, Section 2, by adding at the end of the word "soap" and before the word "nor" the following:

"(liquid, semisolid or solid)"

The amendment was adopted.

Mr. Morris offered the following amendment to the bill:

Amend Senate Bill No. 470, Section 2, by adding at the end of the words "hair preparations" the following:

"perfumes, toilet waters, and colognes"

The amendment was adopted.

Mr. Morris moved to reconsider the vote by which the above amendment was adopted.

Mr. Favors moved to table the motion to reconsider.

(Speaker in the Chair.)

The motion to table prevailed.

Mr. Bell offered the following amendment to the bill:

Amend Senate Bill No. 470, Section 1a, subsection 3, by adding thereto the following, after the word "joker," a new sentence to read as follows:

"The term 'playing card' shall also specifically include those known as pinochle decks and playing cards which have five suits.

BELL,
MANFORD.

Mr. Morris moved to table the amendment.

The motion to table was lost.

Question then recurring on the amendment by Mr. Bell, it was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 470 was then passed to third reading.

SENATE BILL NO. 470 ON
THIRD READING

The Speaker then laid Senate Bill No. 470 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—114

Allen	Hileman
Allison	Hobbs
Alsup	Howard
Anderson	Howington
Avant	Huddleston
Bailey	Humphrey
Baker	Hutchinson
Bell	Kennedy
Benton	Kersey
Boone	Klingeman
Brawner	Knight
Bridgers	Lansberry
Brown	Lehman
Bullock	Leyendecker
Bundy	Lock
Burkett	Love
Burnaman	Lowry
Carlton	Lucas
Carrington	Lyle
Cato	McCann
Chambers	McDonald
Clark	McGlasson
Cleveland	McLellan
Coker	McMurry
Colson, Mrs.	McNamara
Connelly	Manford
Craig	Markle
Crossley	Matthews
Daniel	Mills
Davis	Montgomery
Deen	Moore
Dickson of Bexar	Morgan
Dove	Morris
Duckett	Murray
Dwyer	Nicholson
Eubank	Pace
Favors	Parker
Ferguson	Pevehouse
Fitzgerald	Phillips
Fuchs	Price
Gandy	Rampy
Garland	Reed of Bowie
Gilmer	Reed of Dallas
Goodman	Rhodes
Hargis	Ridgeway
Harris of Dallas	Roark
Harris of Hill	Roberts
Hartzog	Sallas
Heflin	Senterfitt
Helpinstill	Sharpe
Henderson	Simpson

Skiles	Stinson
Smith of Bastrop	Stubbs
Smith of Atascosa	Vale
Spacek	Wattner
Spangler	Weatherford
Stanford	White

Nays—5

Bray	Jones
Halsey	Kelly
Hughes	

Absent

Bean	Kinard
Bruhl	King
Celaya	Little
Dickson of Nolan	McAlister
Donald	Manning
Evans	Shell
Files	Taylor
Hanna	Turner
Hoyo	Voigt
Huffman	Walters
Isaacks	Whitesides

Absent—Excused

Blankenship	Martin
Crosthwait	Morse
Ellis	Thornton
Hardeman	Winfree

HOUSE BILL NO. 228 ON
SECOND READING

Mr. Manning moved that the necessary Rules be suspended for the purpose of taking up and considering at this time House Bill No. 228.

The motion prevailed by the following vote:

Yeas—88

Allen	Coker
Allison	Colson, Mrs.
Alsup	Connelly
Avant	Daniel
Baker	Davis
Bell	Dove
Benton	Duckett
Boone	Dwyer
Bray	Favors
Bridgers	Ferguson
Brown	Files
Bullock	Fuchs
Bundy	Gandy
Burnaman	Halsey
Carrington	Hargis
Carlton	Harris of Hill
Cato	Hartzog
Clark	Heflin
Cleveland	Helpinstill

Henderson	Markle
Hileman	Matthews
Howard	Mills
Hoyo	Montgomery
Humphrey	Moore
Hutchinson	Pace
Isaacks	Pevehouse
Jones	Phillips
Kelly	Price
Kennedy	Reed of Dallas
Knight	Rhodes
Lehman	Ridgeway
Leyendecker	Roark
Little	Sallas
Lock	Sharpe
Lucas	Simpson
Lyle	Skiles
McCann	Smith of Bastrop
McDonald	Spacek
McGlasson	Stanford
McLellan	Vale
McMurry	Wattner
McNamara	Weatherford
Manford	White
Manning	Whitesides

Nays—24

Bailey	Love
Brawner	Morris
Craig	Murray
Dickson of Bexar	Nicholson
Eubank	Parker
Fitzgerald	Reed of Bowie
Gilmer	Roberts
Goodman	Senterfitt
Howington	Smith of Atascosa
Hughes	Spangler
Kersey	Stinson
Lansberry	Voigt

Absent

Anderson	Huddleston
Bean	Huffman
Bruhl	Kinard
Burkett	King
Celaya	Klingeman
Chambers	Lowry
Crossley	McAlister
Deen	Morgan
Dickson of Nolan	Rampy
Donald	Shell
Evans	Stubbs
Garland	Taylor
Hanna	Turner
Harris of Dallas	Walters
Hobbs	

Absent—Excused

Blankenship	Martin
Crosthwait	Morse
Ellis	Thornton
Hardeman	Winfree

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 228, A bill to be entitled "An Act amending Article 149f, Revised Civil Statutes of Texas, 1925, to include the Counties of San Augustine, Sabine and Shelby in said experimental stations in South East Texas. Further providing for an appropriation of fifty thousand (\$50,000.00) out of the general fund not heretofore appropriated from the general fund of the State Treasury of the State of Texas, to be withdrawn on warrants signed by the Board of Directors of the Agricultural and Mechanical College of Texas; and declaring an emergency."

The bill was read second time.

Mr. Skiles offered the following amendment to the bill:

Amend House Bill No. 228 by striking out Section 4.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 228 was then passed to engrossment.

MOTION TO PLACE HOUSE BILL NO. 228 ON THIRD READING

Mr. Manning moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 228 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—73

Allison	Burnaman
Alsup	Cato
Avant	Chambers
Baker	Cleveland
Bean	Coker
Benton	Colson, Mrs.
Boone	Connelly
Bray	Daniel
Bridgers	Donald
Brown	Dove
Bullock	Duckett

Evans	Lowry
Favors	Lucas
Ferguson	Lyle
Fitzgerald	McCann
Gandy	McDonald
Garland	McMurry
Halsey	Manford
Hargis	Manning
Harris of Hill	Markle
Hartzog	Matthews
Heflin	Montgomery
Helpinstill	Pace
Hileman	Price
Hobbs	Rampy
Hoyo	Roark
Humphrey	Sallas
Hutchinson	Sharpe
Jones	Simpson
Kelly	Smith of Bastrop
Kennedy	Spacek
Knight	Spangler
Lehman	Wattner
Leyendecker	Weatherford
Little	White
Lock	Whitesides
Love	

Nays—40

Allen	Klingeman
Bailey	Lansberry
Brawner	McAlister
Bundy	McGlasson
Burkett	McLellan
Carlton	McNamara
Clark	Mills
Craig	Moore
Crossley	Morgan
Davis	Morris
Dickson of Bexar	Murray
Eubank	Nicholson
Gilmer	Reed of Bowie
Goodman	Ridgeway
Harris of Dallas	Rhodes
Howard	Roberts
Howington	Senterfitt
Hughes	Smith of Atascosa
Kersey	Stinson
King	Voigt

Absent

Anderson	Huddleston
Bell	Huffman
Bruhl	Isaacks
Carrington	Kinard
Celaya	Parker
Deen	Pevehouse
Dickson of Nolan	Phillips
Dwyer	Reed of Dallas
Files	Shell
Fuchs	Skiles
Hanna	Stanford
Henderson	Stubbs

Taylor	Vale
Turner	Walters

Absent—Excused

Blankenship	Martin
Crosthwait	Morse
Ellis	Thornton
Hardeman	Winfree

TO PROVIDE FOR ADJOURNMENT SINE DIE

Mr. Lyle offered the following resolution:

H. C. R. No. 145, To provide for Adjournment Sine Die.

Be it resolved by the House of Representatives of the 47th Legislature, the Senate concurring, That the Regular Session of the 47th Legislature adjourn sine die on Monday, June 2, 1941, at 8:00 p. m.

LYLE,
KERSEY,
McMURRY,
FITZGERALD,
HELPINSTILL,
ALLEN,
CROSTHWAIT,
KENNEDY.

The resolution was read second time.

Mr. Bell moved to table the resolution.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—72

Allison	Coker
Alsup	Colson, Mrs.
Avant	Connelly
Bailey	Daniel
Baker	Dwyer
Bean	Evans
Bell	Favors
Benton	Gandy
Boone	Garland
Brawner	Harris of Hill
Bray	Hartzog
Bridgers	Henderson
Brown	Hileman
Bundy	Hughes
Burnaman	Humphrey
Carlton	Hutchinson
Cato	Isaacks
Cleveland	Jones

Kelly	Murray
Kinard	Pevehouse
Klingeman	Phillips
Lansberry	Reed of Dallas
Lehman	Ridgeway
Leyendecker	Rhodes
Lowry	Roark
Lucas	Sallas
McDonald	Sharpe
McGlasson	Smith of Atascosa
McLellan	Spangler
Manford	Stanford
Manning	Stubbs
Markle	Voigt
Matthews	Wattner
Mills	Weatherford
Moore	White
Morris	Whitesides

Nays—49

Allen	Kersey
Bullock	King
Burkett	Knight
Chambers	Little
Clark	Lock
Craig	Love
Crossley	Lyle
Davis	McCann
Dickson of Bexar	McMurry
Donald	McNamara
Dove	Morgan
Duckett	Nicholson
Eubank	Pace
Ferguson	Parker
Files	Price
Fitzgerald	Rampy
Gilmer	Reed of Bowie
Goodman	Roberts
Halsey	Senterfitt
Harris of Dallas	Simpson
Heflin	Smith of Bastrop
Helpinstill	Spacek
Howington	Stinson
Hoyo	Vale
Kennedy	

Present—Not Voting

Howard

Absent

Anderson	Huddleston
Bruhl	Huffman
Carrington	McAlister
Celaya	Montgomery
Deen	Shell
Dickson of Nolan	Skiles
Fuchs	Taylor
Hanna	Turner
Hargis	Walters
Hobbs	

Absent—Excused

Blankenship	Crosthwait
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Ellis	Morse
Hardeman	Thornton
Martin	Winfree

SENATE BILL NO. 83 ON
SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 83, A bill to be entitled "An Act amending Article 3726, Revised Civil Statutes, 1925, as amended by House Bill No. 73, First Called Session, 40th Legislature, relating to the admission of recorded instruments without proof, etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 83 ON
THIRD READING

Mr. Hartzog moved that the Constitutional Rule requiring bills to be read on three several days be suspended, and that Senate Bill No. 83 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—123

Allen	Daniel
Allison	Davis
Alsup	Deen
Anderson	Dickson of Bexar
Avant	Donald
Bailey	Dove
Baker	Duckett
Bell	Dwyer
Benton	Eubank
Boone	Evans
Brawner	Favors
Bray	Ferguson
Bridgers	Files
Brown	Fuchs
Bullock	Gandy
Bundy	Garland
Burkett	Gilmer
Carlton	Goodman
Carrington	Halsey
Cato	Hargis
Chambers	Harris of Dallas
Clark	Harris of Hill
Cleveland	Hartzog
Coker	Heflin
Colson, Mrs.	Helpinstill
Connelly	Henderson
Craig	Hileman
Crossley	Hobbs

Howard	Morris
Howington	Murray
Hoyo	Nicholson
Hughes	Pace
Humphrey	Parker
Hutchinson	Pevehouse
Isaacks	Phillips
Jones	Price
Kelly	Rampy
Kennedy	Reed of Bowie
Kersey	Reed of Dallas
Klingeman	Ridgeway
Knight	Rhodes
Lansberry	Roark
Leyendecker	Roberts
Little	Sallas
Lock	Senterfitt
Love	Sharpe
Lucas	Shell
McAlister	Simpson
McCann	Skiles
McDonald	Smith of Bastrop
McGlasson	Smith of Atascosa
McLellan	Spacek
McMurry	Spangler
McNamara	Stanford
Manford	Stinson
Manning	Vale
Markle	Voigt
Matthews	Wattner
Mills	Weatherford
Montgomery	White
Moore	Whitesides
Morgan	

Absent

Bean	Kinard
Bruhl	King
Burnaman	Lehman
Celaya	Lowry
Dickson of Nolan	Lyle
Fitzgerald	Stubbs
Hanna	Taylor
Huddleston	Turner
Huffman	Walters

Absent—Excused

Blankenship	Martin
Crosthwait	Morse
Ellis	Thornton
Hardeman	Winfree

The Speaker then laid Senate Bill No. 83 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—123

Allen	Alsup
Allison	Anderson

Avant	Kelly
Bailey	Kennedy
Baker	Kersey
Bell	Klingeman
Benton	Knight
Boone	Lansberry
Brawner	Leyendecker
Bray	Little
Bridgers	Lock
Brown	Love
Bullock	Lucas
Bundy	McAlister
Burkett	McCann
Carlton	McDonald
Carrington	McGlasson
Cato	McLellan
Chambers	McMurry
Clark	McNamara
Cleveland	Manford
Coker	Manning
Colson, Mrs.	Markle
Connelly	Matthews
Craig	Mills
Crossley	Montgomery
Daniel	Moore
Davis	Morgan
Deen	Morris
Dickson of Bexar	Murray
Donald	Nicholson
Dove	Pace
Duckett	Parker
Dwyer	Pevehouse
Eubank	Phillips
Evans	Price
Favors	Rampy
Ferguson	Reed of Bowie
Files	Reed of Dallas
Fuchs	Ridgeway
Gandy	Rhodes
Garland	Roark
Gilmer	Roberts
Goodman	Sallas
Halsey	Senterfitt
Hargis	Sharpe
Harris of Dallas	Shell
Harris of Hill	Simpson
Hartzog	Skiles
Heflin	Smith of Bastrop
Helpinstill	Smith of Atascosa
Henderson	Spacek
Hileman	Spangler
Hobbs	Stanford
Howard	Stinson
Howington	Vale
Hoyo	Voigt
Hughes	Wattner
Humphrey	Weatherford
Hutchinson	White
Isaacks	Whitesides
Jones	

Absent

Bean	Bruhl
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Burnaman	King
Celaya	Lehman
Dickson of Nolan	Lowry
Fitzgerald	Lyle
Hanna	Stubbs
Huddleston	Taylor
Huffman	Turner
Kinard	Walters

Absent—Excused

Blankenship	Martin
Crosthwait	Morse
Ellis	Thornton
Hardeman	Winfree

ADOPTION OF CONFERENCE
COMMITTEE REPORT ON
HOUSE BILL NO. 76

Mr. Dwyer submitted the following Conference Committee report on House Bill No. 76:

Austin, Texas, May 12, 1941.

Honorable Homer Leonard, Speaker
of the House;

Honorable Coke R. Stevenson, President
of the Senate.

Gentlemen: We, your free Conference Committee appointed to adjust the differences between the Senate and the House on

H. B. No. 76, A bill to be entitled "An Act for the purpose of releasing the interest and penalties on all delinquent ad valorem and poll taxes that were delinquent on or before July 1, 1941, due the State, any county, common school district, road district, levee improvement district, water improvement district, and water control and improvement district, irrigation district, and other defined subdivisions of the State, provided same are paid on or before November 1, 1941; and providing further that this Act releasing penalties and interest shall not apply to cities, towns, and villages and special school districts and independent school districts, unless and, etc.; and declaring an emergency."

Have had the same under consideration and beg to advise that we have reconciled our differences and recommend the passage of said

House Bill No. 76 in the form hereto attached.

DWYER,
MANNING,
HUTCHINSON,
PACE,
On the part of the House.

VAN ZANDT,
HAZLEWOOD,
SHIVERS,
MARTIN,
On the part of the Senate.

By Mr. Dwyer:

H. B. No. 76,

A BILL
To Be Entitled

An Act for the purpose of releasing the interest and penalties on all delinquent ad valorem and poll taxes that were delinquent on or before July 1, 1940, due the State, any county, common school district, road district, levee improvement district, water improvement district, and water control and improvement district, irrigation district, and other defined subdivisions of the State, provided same are paid on or before November 1, 1941; and providing further that this Act releasing penalties and interest shall not apply to cities, towns, and villages, and special school districts, and independent school districts unless and until the governing body thereof finds that unusual or excessive default in the payment of ad valorem and poll taxes has occurred and that an extension of time for the payment of said ad valorem and poll taxes will accelerate the payment thereof, and such governing body has adopted a resolution or ordinance evidencing such finding, and upon the recording of such findings of fact shall have the authority to put in force and effect the provisions hereof as to any such city, town, or village, or special school district, or independent school district; providing for the release of costs under certain circumstances; providing that anyone desiring to pay at one time delinquent taxes for one year only wherein such taxes are delinquent for more than one year shall have the right to do so without remis-

sion of penalties and interest; providing that any person availing themselves of the provisions of this Act; conditioned that a six per cent (6%) penalty on the total amount delinquent be paid on such property shall be required to pay all delinquent ad valorem taxes due the State and County on any specific piece of property on which such taxes are delinquent before receiving the benefits of this Act; providing that all laws in conflict with this Act are expressly suspended during the term of this Act; providing that if any section, clause, sentence, paragraph, or part of the Act be judged to be invalid by any court of final or competent jurisdiction, such judgment shall not affect, impair, or invalidate the remainder of the Act; stating the policy of the Legislature; and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. That all interest and penalties that have accrued on all ad valorem and poll taxes that were delinquent on or before July 1, 1940, due the State, any county, common school district, road district, levee improvement district, water improvement district, and water control and improvement district, irrigation district, and other defined subdivisions of the State (and, subject to the provisions hereinbefore and hereinafter contained, such interest and penalties on delinquent ad valorem and poll taxes due cities, towns, and villages, and special school districts, and independent school districts,) shall be and the same are hereby released, provided said ad valorem and poll taxes are paid on or before November 1, 1941. It is provided that the provisions hereof shall not apply to cities, towns, and villages, and special school districts, and independent school districts, unless and until the governing body of any such city, town, or village, or special school district, or independent school district finds that unusual or excessive default in the payment of ad valorem and poll taxes has occurred, and that an extension of time for the payment of such delinquent ad valorem and poll taxes will promote and accele-

rate the collection thereof, whereupon such governing body shall adopt a resolution or ordinance evidencing such finding, and upon the recording of such findings of fact the provisions of this Act shall be in full force and effect as to any such city, town, or village, or special school district, or independent school district. It is hereby expressly and specifically provided that penalties and interest herein released are released only on delinquent ad valorem and poll taxes and on no other taxes.

Sec. 2. That all costs of every kind and character that have accrued or attached or that may hereafter accrue or attach to or by reason of delinquent poll or ad valorem taxes on which said poll or ad valorem tax the interest and penalties have been released by any of the provisions of this Act shall be and the same are hereby released, and no such costs shall hereafter be charged, collected, or accounted for, provided, however, that any costs that are now due and payable to any officer or official shall remain a valid obligation, notwithstanding the provision hereof.

Sec. 3. Anyone desiring to pay at one time all the delinquent taxes for only one year wherein such taxes are delinquent for more than one year shall have the right to pay the same but without remission of penalties and interest; provided however, that any person availing themselves of the benefits of this Act shall be required to pay all delinquent ad valorem taxes due the State and county on any specific piece of property on which such taxes are delinquent before the penalties and interest may be released as herein provided; conditioned that a six per cent (6%) penalty on the total amount delinquent be paid on such property.

Sec. 4. All laws and parts of laws in conflict herewith are hereby expressly suspended during the term of this Act so far as they may affect this Act.

Sec. 5. It is provided further that in case any section, clause, sentence, paragraph, or part of this Act shall for any reason be adjudged by any Court of competent or final jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Act, but shall be confined in its operation to the

section, clause, sentence, paragraph, or part thereof directly involved in the controversy in which said judgment shall have been rendered.

Sec. 6. This bill is enacted into a law because of the dire need of school districts and other subdivisions for funds from delinquent taxes to continue to function, and for the further purpose of giving the distressed taxpayers an opportunity to pay their taxes without the burden of the penalties and interest that have accrued, but it shall not be understood from the enactment of this law that it is the policy of the Legislature to continue to remit penalty and interest. The Forty-seventh Legislature here declared that a continuation of the policy of remitting penalty and interest on delinquent taxes would be detrimental to the best interest of this State and would, if continued, lead to still greater delinquencies in tax payments than has ever been in the history of this State.

Sec. 7. The fact that millions of dollars in taxes are now due and have been due to the State and its subdivisions for many years past, by people who would meet their obligations to the State Government if the heavy costs and penalties and interest were omitted, creates an emergency and an imperative public necessity demanding that the Constitutional Rule which requires all bills to be read on three several days in each House be suspended, and said Rule is hereby suspended, and said Act shall be in force and take effect from and after its passage, and it is so enacted.

On motion of Mr. Dwyer, the report was adopted by the following vote:

Yeas—111

Allen	Burnaman
Allison	Carrington
Alsup	Cato
Anderson	Celaya
Avant	Chambers
Bailey	Clark
Baker	Cleveland
Bean	Coker
Bell	Colson, Mrs.
Benton	Connelly
Boone	Crossley
Brown	Daniel
Bullock	Davis
Burkett	Deen

Dickson of Bexar	McCann
Donald	McDonald
Dove	McGlasson
Dwyer	McMurry
Eubank	McNamara
Evans	Manford
Favors	Manning
Ferguson	Markle
Files	Matthews
Fuchs	Montgomery
Gandy	Moore
Garland	Morgan
Goodman	Murray
Halsey	Nicholson
Hargis	Pace
Harris of Dallas	Parker
Harris of Hill	Pevehouse
Hartzog	Phillips
Heflin	Price
Helpinstill	Rampy
Hileman	Reed of Bowie
Hobbs	Reed of Dallas
Howard	Ridgeway
Howington	Rhodes
Hoyo	Roberts
Huddleston	Sallas
Humphrey	Shell
Hutchinson	Simpson
Isaacks	Skiles
Kelly	Smith of Bastrop
Kennedy	Smith of Atascosa
Kersey	Spacek
King	Stinson
Klingeman	Stubbs
Knight	Taylor
Lehman	Turner
Leyendecker	Vale
Little	Wattner
Lock	Weatherford
Love	White
Lucas	Whitesides
McAlister	

Nays—17

Bray	McLellan
Carlton	Mills
Craig	Morris
Duckett	Roark
Fitzgerald	Senterfitt
Henderson	Spangler
Hughes	Stanford
Jones	Voigt
Lansberry	

Absent

Brawner	Huffman
Bridgers	Kinard
Bruhl	Lowry
Bundy	Lyle
Dickson of Nolan	Sharpe
Gilmer	Walters
Hanna	

Absent—Excused

Blankenship	Martin
Crosthwait	Morse
Ellis	Thornton
Hardeman	Winfree

MESSAGE FROM THE SENATE

Austin, Texas, May 15, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

H. C. R. No. 141, Inviting Gene Autry to address a Joint Session.

H. C. R. No. 142, Suspending the Joint Rules so that the House may bring up House Bill No. 42.

S. C. R. No. 58, Granting permission to Mrs. Mary Lou Kirk to sue the State.

H. C. R. No. 114, Authorizing Board of Control to investigate certain matter.

The Senate has granted the request of the House for a Conference Committee to adjust the differences between the two Houses on House Bill No. 284.

The following have been appointed on the part of the Senate:

Senators Aikin, Van Zandt, Lovelady, Metcalfe and Formby.

The Senate has granted the request of the House for a Conference Committee to adjust the differences between the two Houses on House Bill No. 238.

The following have been appointed on the part of the Senate:

Senators Shivers, Van Zandt, Ramsey, Metcalfe and Kelley.

The Senate has granted the request of the House for a Conference Committee to adjust the differences between the two Houses on House Bill No. 272.

The following have been appointed on the part of the Senate:

Senators Aikin, Lanning, Brownlee, Weinert and Isbell.

The Senate has granted the request of the House for a Conference Com-

mittee to adjust the differences between the two Houses on House Bill No. 233.

The following have been appointed on the part of the Senate:

Senators Aikin, Van Zandt, Lovelady, Metcalfe and Formby.

The Senate has refused to concur in House Amendments to Senate Bill No. 423 and requests the appointment of a Conference Committee to adjust the differences between the two Houses.

The following have been appointed on the part of the Senate:

Senators Aikin, Weinert, Winfield, York and Lemens.

Respectfully,

BOB BARKER,
Secretary of the Senate.HOUSE BILL NO. 542 WITH
SENATE AMENDMENTS

Mr. Gandy called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 542, A bill to be entitled "An Act, providing a special season on Mondays, Wednesdays and Fridays during the period December 1 to January 16 in Hopkins and Franklin Counties; providing a penalty for violation of this Act, repealing conflicting laws; and declaring an emergency and the effective date of this Act."

On motion of Mr. Gandy the House concurred in the Senate amendments by the following vote:

Yeas—120

Allen	Burnaman
Allison	Carlton
Alsup	Carrington
Anderson	Cato
Avant	Celaya
Bailey	Chambers
Baker	Clark
Bell	Cleveland
Benton	Coker
Boone	Colson, Mrs.
Brawner	Connelly
Bray	Craig
Brown	Crossley
Bullock	Daniel
Burkett	Davis

Deen	McGlasson
Dickson of Bexar	McLellan
Donald	McMurry
Duckett	Manford
Eubank	Manning
Evans	Markle
Favors	Matthews
Ferguson	Mills
Files	Montgomery
Fitzgerald	Moore
Fuchs	Morgan
Gandy	Morris
Garland	Murray
Goodman	Nicholson
Halsey	Pace
Hargis	Parker
Harris of Dallas	Phillips
Hartzog	Price
Heflin	Rampy
Helpinstill	Reed of Bowie
Henderson	Reed of Dallas
Hileman	Ridgeway
Hobbs	Rhodes
Howington	Roark
Hoyo	Roberts
Huddleston	Sallas
Hughes	Senterfitt
Humphrey	Shell
Hutchinson	Simpson
Isaacks	Skiles
Jones	Smith of Bastrop
Kelly	Smith of Atascosa
Kennedy	Spacek
Kersey	Spangler
Klingeman	Stanford
Knight	Stinson
Lansberry	Stubbs
Lehman	Taylor
Leyendecker	Turner
Little	Vale
Lock	Voigt
Love	Wattner
Lucas	Weatherford
McAlister	White
McCann	Whitesides

Absent

Bean	Huffman
Bridgers	Kinard
Bruhl	King
Bundy	Lowry
Dickson of Nolan	Lyle
Dove	McDonald
Dwyer	McNamara
Gilmer	Pevehouse
Hanna	Sharpe
Harris of Hill	Walters
Howard	

Absent—Excused

Blankenship	Ellis
Crothwait	Hardeman

Martin	Thornton
Morse	Winfree

HOUSE BILL NO. 854 WITH
SENATE AMENDMENTS

Mr. Kennedy called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 854, A bill to be entitled "An Act authorizing independent school districts, upon the order of its trustees, with the consent of the State Superintendent of Public Instruction, to sell, exchange and convey real property, or any part thereof, belonging to said school district, and to apply any proceeds to the purchase of necessary ground or to the building or repairing of school houses, or to the credit of the available school fund of the district, and validating all sales theretofore made by any district in substantial compliance with the provisions hereof; and declaring an emergency."

On motion of Mr. Kennedy, the House concurred in the Senate amendments by the following vote:

Yeas—116

Allen	Daniel
Allison	Deen
Alsup	Dickson of Bexar
Anderson	Donald
Avant	Dove
Bailey	Duckett
Baker	Eubank
Bean	Evans
Bell	Favors
Benton	Ferguson
Boone	Files
Bray	Gandy
Bridgers	Garland
Brown	Goodman
Bullock	Halsey
Bundy	Hargis
Burkett	Harris of Dallas
Burnaman	Harris of Hill
Carlton	Heflin
Carrington	Helpinstill
Cato	Henderson
Chambers	Hileman
Clark	Hobbs
Cleveland	Howard
Coker	Howington
Colson, Mrs.	Hoyo
Connelly	Hughes
Craig	Humphrey
Crossley	Hutchinson

Jones	Pace
Kelly	Parker
Kennedy	Pevehouse
Kersey	Phillips
Klingeman	Price
Knight	Rampy
Lansberry	Reed of Bowie
Lehman	Reed of Dallas
Leyendecker	Ridgeway
Little	Rhodes
Lock	Roberts
Love	Sallas
Lowry	Senterfitt
Lucas	Shell
McAlister	Simpson
McCann	Skiles
McGlasson	Smith of Bastrop
McMurry	Smith of Atascosa
McNamara	Spacek
Manford	Stinson
Markle	Stubbs
Matthews	Taylor
Mills	Turner
Montgomery	Vale
Moore	Voigt
Morgan	Wattner
Morris	Weatherford
Murray	White
Nicholson	Whitesides

Nays—1

McLellan

Present—Not Voting

Davis

Roark

Absent

Brawner	Huffman
Bruhl	Isaacks
Celaya	Kinard
Dickson of Nolan	King
Dwyer	Lyle
Fitzgerald	McDonald
Fuchs	Manning
Gilmer	Sharpe
Hanna	Spangler
Hartzog	Stanford
Huddleston	Walters

Absent—Excused

Blankenship	Martin
Crosthwait	Morse
Ellis	Thornton
Hardeman	Winfree

HOUSE BILL NO. 362 WITH
SENATE AMENDMENTS

Mr. Hobbs called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 362, A bill to be entitled "An Act creating the Lavaca County Flood Control District in Lavaca County, Texas, and defining its powers; designating the Commissioners' Court as the governing body of such District and defining the powers of such Court in connection therewith; providing for the filing of a petition for the issuance of bonds, notice of hearing thereon, for an election therefor, and the procedure; limiting the tax rate in support of bonds voted; providing for the issuance of bonds and the manner and form thereof and the procedure in connection with the issuance, registration, approval, and sale thereof; defining the duties of the various officials of Lavaca County; providing that State laws applicable to contracts and accounting for funds shall apply to such District; making the Act cumulative of other laws; providing for the use of public property by such District; granting the right of eminent domain; providing laws relating to assessing and collecting State and county current and delinquent taxes shall apply to said District; providing that if any provision of this Act shall be held invalid or unconstitutional the other provisions shall not be affected; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

On motion of Mr. Hobbs, the House concurred in the Senate amendments by the following vote:

Yeas—118

Allen	Carrington
Allison	Cato
Alsup	Chambers
Anderson	Clark
Avant	Cleveland
Bailey	Coker
Baker	Colson, Mrs.
Bean	Connelly
Bell	Craig
Boone	Crossley
Brawner	Daniel
Bray	Davis
Bridgers	Deen
Brown	Donald
Bullock	Dove
Bundy	Duckett
Burkett	Eubank
Burnaman	Evans
Carlton	Favors

Ferguson	McNamara
Files	Manford
Fuchs	Markle
Gandy	Matthews
Garland	Mills
Gilmer	Montgomery
Goodman	Moore
Halsey	Morgan
Harris of Dallas	Morris
Harris of Hill	Murray
Heflin	Nicholson
Helpinstill	Pace
Henderson	Parker
Hileman	Pevehouse
Hobbs	Phillips
Howington	Price
Hoyo	Rampy
Hughes	Reed of Bowie
Humphrey	Reed of Dallas
Hutchinson	Ridgeway
Jones	Rhodes
Kelly	Roark
Kennedy	Sallas
Kersey	Senterfitt
King	Shell
Klingeman	Simpson
Knight	Skiles
Lansberry	Smith of Bastrop
Lehman	Smith of Atascosa
Leyendecker	Spacek
Little	Spangler
Lock	Stubbs
Love	Taylor
Lowry	Turner
Lucas	Vale
McAlister	Voigt
McCann	Wattner
McGlasson	Weatherford
McLellan	White
McMurry	Whitesides

Nays—1

Roberts

Absent

Blankenship	Huffman
Brubl	Isaacks
Celaya	Kinard
Dickson of Nolan	Lyle
Dwyer	McDonald
Fitzgerald	Manning
Hanna	Sharpe
Hargis	Stanford
Hartzog	Stinson
Howard	Walters
Huddleston	

Absent—Excused

Benton	Ellis
Crosthwait	Hardeman
Dickson of Bexar	Martin

Morse	Winfree
Thornton	

HOUSE BILL NO. 411 WITH
SENATE AMENDMENTS

Mr. Smith of Atascosa called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 411, A bill to be entitled "An Act providing for fees and travel expenses of sheriffs and other peace officers whose income is on a fee basis and who travel into other States to serve extradition papers; providing travel expenses for sheriffs and other peace officers who are compensated by a fixed salary and who travel into other States to serve extradition papers; and declaring an emergency."

On motion of Mr. Smith of Atascosa, the House concurred in the Senate amendments by the following vote:

Yeas—106

Allen	Favors
Allison	Ferguson
Alsup	Files
Anderson	Gandy
Avant	Garland
Bailey	Gilmer
Bell	Goodman
Benton	Halsey
Boone	Hargis
Bridgers	Harris of Dallas
Brown	Harris of Hill
Bullock	Heflin
Bundy	Helpinstill
Burkett	Henderson
Burnaman	Hileman
Carlton	Howington
Carrington	Hoyo
Cato	Huddleston
Chambers	Hughes
Clark	Humphrey
Cleveland	Hutchinson
Coker	Jones
Colson, Mrs.	Kelly
Connelly	Kennedy
Craig	Kersey
Crossley	King
Daniel	Knight
Davis	Lansberry
Deen	Lehman
Donald	Leyendecker
Dove	Little
Duckett	Lock
Evans	Love

Lowry	Reed of Bowie
Lucas	Ridgeway
McAlister	Rhodes
McGlasson	Roark
McMurry	Roberts
McNamara	Sallas
Manford	Skiles
Markle	Smith of Bastrop
Matthews	Smith of Atascosa
Mills	Spacek
Montgomery	Spangler
Moore	Stinson
Morgan	Stubbs
Morris	Taylor
Murray	Turner
Pace	Vale
Parker	Voigt
Pevehouse	Wattner
Phillips	White
Price	Whitesides
Rampy	

Nays—4

Bray	McCann
Eubank	Senterfitt

Absent

Baker	Kinard
Bean	Klingeman
Brawner	Lyle
Bruhl	McDonald
Celaya	McLellan
Dickson of Nolan	Manning
Dwyer	Nicholson
Fitzgerald	Reed of Dallas
Fuchs	Sharpe
Hanna	Shell
Hartzog	Simpson
Hobbs	Stanford
Howard	Walters
Huffman	Weatherford
Isaacks	

Absent—Excused

Blankenship	Martin
Crosthwait	Morse
Dickson of Bexar	Thornton
Ellis	Winfree
Hardeman	

HOUSE CONCURRENT RESOLUTION NO. 89 WITH SENATE AMENDMENTS

Mr. Little called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. C. R. No. 89, To grant W. D. Muncy and wife permission to sue the State.

On motion of Mr. Little, the House concurred in the Senate amendments by the following vote:

Yeas—116

Allen	Kelly
Allison	Kennedy
Alsup	Kersey
Anderson	King
Avant	Klingeman
Bailey	Knight
Baker	Lansberry
Bell	Lehman
Benton	Leyendecker
Boone	Little
Bray	Lock
Bridgers	Love
Brown	Lowry
Bullock	Lucas
Bundy	McAlister
Burkett	McCann
Burnaman	McGlasson
Carlton	McLellan
Carrington	McMurry
Cato	McNamara
Celaya	Manford
Chambers	Manning
Clark	Markle
Coker	Matthews
Colson, Mrs.	Mills
Connelly	Montgomery
Craig	Moore
Crossley	Morgan
Daniel	Morris
Davis	Murray
Deen	Pace
Donald	Parker
Dove	Pevehouse
Duckett	Phillips
Dwyer	Price
Eubank	Rampy
Evans	Reed of Bowie
Favors	Ridgeway
Ferguson	Roark
Files	Roberts
Gandy	Sallas
Garland	Senterfitt
Goodman	Shell
Halsey	Simpson
Hargis	Skiles
Harris of Dallas	Smith of Bastrop
Harris of Hill	Spacek
Hartzog	Spangler
Heflin	Stinson
Helpinstill	Stubbs
Henderson	Taylor
Howard	Turner
Howington	Vale
Hoyo	Voigt
Huddleston	Wattner
Hughes	Weatherford
Humphrey	White
Jones	Whitesides

Absent

Bean	Hutchinson
Brawner	Isaacks
Bruhl	Kinard
Cleveland	Lyle
Dickson of Nolan	McDonald
Fitzgerald	Nicholson
Fuchs	Reed of Dallas
Gilmer	Rhodes
Hanna	Sharpe
Hileman	Smith of Atascosa
Hobbs	Stanford
Huffman	Walters

Absent—Excused

Blankenship	Martin
Crosthwait	Morse
Dickson of Bexar	Thornton
Ellis	Winfree
Hardeman	

HOUSE CONCURRENT RESOLUTION NO. 131 WITH SENATE AMENDMENTS

Mr. Cato called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. C. R. No. 131, To grant W. F. Howell and wife permission to sue the State.

On motion of Mr. Cato, the House concurred in the Senate amendments by the following vote:

Yeas—108

Allen	Craig
Allison	Crossley
Alsup	Daniel
Avant	Davis
Bailey	Deen
Baker	Donald
Bell	Duckett
Benton	Eubank
Boone	Evans
Bray	Favors
Bridgers	Ferguson
Brown	Files
Bullock	Fitzgerald
Bundy	Gandy
Burkett	Garland
Burnaman	Halsey
Carlton	Hargis
Cato	Harris of Dallas
Chambers	Harris of Hill
Clark	Heflin
Cleveland	Helpinstill
Coker	Henderson
Colson, Mrs.	Hileman
Connelly	Howard

Howington	Mills
Hoyo	Montgomery
Huddleston	Moore
Hughes	Morgan
Humphrey	Morris
Hutchinson	Murray
Jones	Pace
Kelly	Pevehouse
Kennedy	Phillips
Kersey	Price
King	Rampy
Knight	Reed of Bowie
Lansberry	Ridgeway
Lehman	Rhodes
Leyendecker	Roark
Little	Roberts
Lock	Sallas
Love	Senterfitt
Lowry	Simpson
Lucas	Smith of Bastrop
McAlister	Smith of Atascosa
McCann	Spacek
McDonald	Spangler
McGlasson	Stinson
McMurry	Stubbs
McNamara	Taylor
Manford	Voigt
Manning	Weatherford
Markle	White
Matthews	Whitesides

Absent

Anderson	Isaacks
Bean	Kinard
Brawner	Klingeman
Bruhl	Lyle
Carrington	McLellan
Celaya	Nicholson
Dickson of Nolan	Parker
Dove	Reed of Dallas
Dwyer	Sharpe
Fuchs	Shell
Gilmer	Skiles
Goodman	Stanford
Hardeman	Turner
Hartzog	Vale
Hobbs	Walters
Huffman	Wattner

Absent—Excused

Blankenship	Martin
Crosthwait	Morse
Dickson of Bexar	Thornton
Ellis	Winfree
Hanna	

HOUSE BILL NO. 538 WITH SENATE AMENDMENTS

Mr. Phillips called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 538, A bill to be entitled "An Act making an appropriation to be paid out of the General Revenue Fund of the State of Texas the sum of Seventeen Thousand Two Hundred Dollars (\$17,200.00), not otherwise appropriated, to cover taxes due by the State of Texas to Fort Bend County, covering the years 1939 and 1940, inclusive, and the taxes to become due for the years 1941 and 1942; and declaring an emergency."

On motion of Mr. Phillips, the House concurred in the Senate amendments by the following vote:

Yeas—111

Allen	Helpinstill
Allison	Henderson
Alsup	Hileman
Anderson	Howington
Avant	Hoyo
Bailey	Huddleston
Baker	Humphrey
Bell	Hutchinson
Benton	Jones
Boone	Kelly
Bridgers	Kennedy
Brown	Kersey
Bullock	King
Bundy	Klingeman
Burkett	Knight
Burnaman	Lehman
Carlton	Leyendecker
Cato	Little
Celaya	Lock
Chambers	Love
Clark	Lowry
Cleveland	Lucas
Coker	McDonald
Colson, Mrs.	McClasson
Connelly	McLellan
Crossley	McMurry
Daniel	McNamara
Deen	Manford
Donald	Markle
Dove	Matthews
Duckett	Mills
Eubank	Montgomery
Evans	Moore
Favors	Morgan
Ferguson	Morris
Files	Murray
Fitzgerald	Pace
Gandy	Parker
Garland	Pevehouse
Halsey	Phillips
Hargis	Price
Harris of Dallas	Rampy
Harris of Hill	Reed of Bowie
Heflin	Ridgeway

Rhodes	Spangler
Roark	Stanford
Roberts	Stinson
Sallas	Taylor
Senterfitt	Turner
Shell	Vale
Simpson	Voigt
Skiles	Wattner
Smith of Bastrop	Weatherford
Smith of Atascosa	White
Spacek	Whitesides

Nays—5

Bray	Lansberry
Davis	McCann
Hughes	

Absent

Bean	Howard
Brawner	Huffman
Bruhl	Isaacks
Carrington	Kinard
Craig	Lyle
Dickson of Nolan	McAlister
Dwyer	Manning
Fuchs	Nicholson
Gilmer	Reed of Dallas
Goodman	Sharpe
Hanna	Stubbs
Hartzog	Thornton
Hobbs	Walters

Absent—Excused

Blankenship	Hardeman
Crosthwait	Martin
Dickson of Bexar	Morse
Ellis	Winfrey

Mr. Phillips moved to reconsider the vote by which the motion to concur prevailed, and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 218 WITH
SENATE AMENDMENTS

Mr. McNamara called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 218, A bill to be entitled "An Act to provide a hearing as to the sanity of persons who have previously been judicially declared to be of unsound mind; setting out procedure with reference thereto; and providing for venue of said cause of action; and declaring an emergency."

On motion of Mr. McNamara, the House concurred in the Senate amendments by the following vote:

Yeas—109

Allen	Kennedy
Alsup	Kersey
Anderson	Klingeman
Avant	Knight
Bailey	Lansberry
Baker	Lehman
Bean	Leyendecker
Benton	Little
Boone	Lock
Brown	Love
Bullock	Lowry
Bundy	Lucas
Burkett	McAlister
Burnaman	McCann
Carlton	McDonald
Carrington	McGlasson
Cato	McMurry
Celaya	McNamara
Chambers	Manford
Clark	Markle
Cleveland	Matthews
Coker	Mills
Colson Mrs.	Montgomery
Connelly	Moore
Craig	Morgan
Crossley	Morris
Daniel	Murray
Davis	Pace
Deen	Parker
Donald	Phillips
Dove	Reed of Bowie
Duckett	Ridgeway
Evans	Rhodes
Ferguson	Roark
Files	Roberts
Fitzgerald	Sallas
Gandy	Senterfitt
Garland	Shell
Halsey	Simpson
Hargis	Skiles
Harris of Dallas	Smith of Bastrop
Harris of Hill	Smith of Atascosa
Hartzog	Spacek
Heflin	Spangler
Helpinstill	Stanford
Henderson	Stubbs
Hileman	Taylor
Hobbs	Turner
Howington	Vale
Hoyo	Voigt
Huddleston	Wattner
Hughes	Weatherford
Hutchinson	White
Jones	Whitesides
Kelly	

Nays—6

Allison

Bell

Bray
EubankFavors
Price

Absent

Brawner	Kinard
Bridgers	King
Bruhl	Lyle
Dickson of Nolan	McLellan
Dwyer	Manning
Fuchs	Nicholson
Gilmer	Pevhouse
Goodman	Rampy
Hanna	Reed of Dallas
Howard	Sharpe
Huffman	Stinson
Humphrey	Walters
Isaacks	

Absent—Excused

Blankenship	Martin
Crosthwait	Morse
Dickson of Bexar	Thornton
Ellis	Winfree
Hardeman	

Mr. McGlasson moved to reconsider the vote by which the motion to concur prevailed and to table the motion to reconsider.

The motion to table prevailed.

REQUEST OF SENATE GRANTED

On motion of Mr. Reed of Dallas, the House granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 423.

In accordance with the above action, the Speaker announced the appointment of the following Conference Committee on Senate Bill No. 423:

Messrs. Reed of Dallas, Morris, Alsup, Stanford and Bullock.

HOUSE BILL NO. 494 WITH
SENATE AMENDMENTS

Mr. Price called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 494, A bill to be entitled "An Act authorizing the Commissioners' Court of any county having a population of not less than sixty thousand (60,000) and not more than eighty thousand (80,000), according to the last United States Census, to rent or let to any land-

owner any tractor, grader, machinery or equipment belonging to said county to be used exclusively upon land belonging to such owner situated in said county, in the construction of terraces, dikes and ditches for the purposes of soil conservation and soil erosion prevention and for the purpose of constructing water tanks and reservoirs; and declaring an emergency."

On motion of Mr. Price, the House concurred in the Senate amendments by the following vote:

Yeas—115

Allen	Hartzog
Allison	Helpinstill
Alsup	Henderson
Anderson	Hileman
Avant	Hobbs
Bailey	Howard
Baker	Howington
Bean	Hoyo
Bell	Huddleston
Benton	Hughes
Boone	Humphrey
Bray	Hutchinson
Bridgers	Isaacks
Brown	Jones
Bullock	Kelly
Bundy	Kennedy
Burkett	Klingeman
Burnaman	Knight
Carlton	Lansberry
Carrington	Lehman
Cato	Leyendecker
Celaya	Lock
Chambers	Love
Clark	Lucas
Coker	McAlister
Colson, Mrs.	McCann
Connelly	McDonald
Craig	McGlasson
Crossley	McLellan
Daniel	McMurry
Davis	McNamara
Donald	Manford
Dove	Manning
Duckett	Markle
Eubank	Matthews
Evans	Mills
Favors	Montgomery
Ferguson	Moore
Files	Morris
Fitzgerald	Murray
Gandy	Pace
Garland	Parker
Halsey	Pevehouse
Hargis	Phillips
Harris of Dallas	Price
Harris of Hill	Rampy

Reed of Bowie	Spacek
Reed of Dallas	Spangler
Ridgeway	Stinson
Rhodes	Taylor
Roark	Turner
Roberts	Vale
Sallas	Voigt
Senterfitt	Wattner
Shell	Weatherford
Simpson	White
Smith of Bastrop	Whitesides
Smith of Atascosa	

Absent

Brawner	Kinard
Bruhl	King
Cleveland	Little
Deen	Lowry
Dickson of Nolan	Lyle
Dwyer	Morgan
Fuchs	Nicholson
Gilmer	Sharpe
Goodman	Skiles
Hanna	Stanford
Heflin	Stubbs
Huffman	Walters
Kersey	

Absent—Excused

Blankenship	Martin
Crosthwait	Morse
Dickson of Bexar	Thornton
Ellis	Winfree
Hardeman	

HOUSE BILL NO. 495 WITH
SENATE AMENDMENTS

Mr. Smith of Atascosa called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 495, A bill to be entitled "An Act granting permission to E. B. Rodriguez to bring suit against the State of Texas and/or Highway Department, in a court of competent jurisdiction in Frio County, Texas, for damages for personal injuries received by him while on duty in the employ of the Highway Department of the State of Texas, and which injuries are alleged to have produced damages to the said E. B. Rodriguez; providing that any judgment so recovered to be paid out of the funds of the Highway Department of the State of Texas; providing that if any provisions of this Act shall be invalid, the validity of the other provisions thereof shall not be affected; and declaring an emergency."

On motion of Mr. Smith of Atascosa, the House concurred in the Senate amendments by the following vote:

Yeas—115

Allen	Kelly
Allison	Kennedy
Alsup	King
Anderson	Klingeman
Avant	Knight
Bailey	Lansberry
Baker	Lehman
Bell	Leyendecker
Benton	Little
Boone	Lock
Bray	Love
Bridgers	Lowry
Brown	Lucas
Bullock	Lyle
Bundy	McAlister
Burkett	McCann
Burnaman	McDonald
Carlton	McGlasson
Carrington	McLellan
Cato	McMurry
Celaya	McNamara
Chambers	Manford
Clark	Manning
Cleveland	Markle
Coker	Matthews
Colson, Mrs.	Mills
Connelly	Montgomery
Craig	Moore
Crossley	Morris
Daniel	Murray
Davis	Pace
Deen	Parker
Donald	Pevehouse
Dove	Phillips
Eubank	Price
Evans	Rampy
Favors	Reed of Bowie
Ferguson	Reed of Dallas
Files	Ridgeway
Fitzgerald	Rhodes
Fuchs	Roark
Gandy	Roberts
Garland	Sallas
Hargis	Senterfitt
Harris of Dallas	Shell
Harris of Hill	Simpson
Helpinstill	Smith of Bastrop
Henderson	Smith of Atascosa
Hileman	Spacek
Howington	Spangler
Hoyo	Stanford
Huddleston	Stinson
Hughes	Taylor
Humphrey	Turner
Hutchinson	Vale
Jones	Wattner

Weatherford
White

Whitesides

Absent

Bean	Howard
Brawner	Huffman
Bruhl	Isaacks
Dickson of Nolan	Kersey
Duckett	Kinard
Dwyer	Morgan
Gilmer	Nicholson
Goodman	Sharpe
Halsey	Skiles
Hanna	Stubbs
Hartzog	Voigt
Heflin	Walters
Hobbs	

Absent—Excused

Blankenship	Martin
Crosthwait	Morse
Dickson of Bexar	Thornton
Ellis	Winfree
Hardeman	

TO GRANT PERMISSION
TO SUE THE STATE

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 58, To grant Mrs. Mary Lou Kirk permission to Sue the State.

Whereas, It is alleged that during the year of 1939, the City of Temple, a home ruled municipal corporation, constructed a sewage disposal plant outside the city limits of the City of Temple, and on land adjacent and beyond the farm and ranch owned by Mrs. Mary Lou Kirk, situated approximately three miles in an easterly direction from the City of Temple, and constructed over the land of Mrs. Mary Lou Kirk, two pipe lines, leading to said disposal plant; and

Whereas, It is alleged that said construction of said plant and pipe lines leading from the City of Temple of Bell County, Texas, to said disposal plant was under the direction and supervision of the State Health Department of the State of Texas, and subject to the acceptance of said work by said State Health Department, before operation of same should be begun; and

Whereas, It is alleged that after the final construction of said plant and said pipe lines leading thereto,

a portion of which said pipe lines were constructed over and across the property of Mrs. Mary Lou Kirk were in a defective condition and not fit for operation, it is contended that the State Health Department accepted said construction as built by the contractors, and negligently failed to perform its duty to see that said plant and pipe lines leading thereto were in first-class mechanical condition and properly constructed, to eliminate leakage therefrom, and that many leaks and ill-fitted joints in such pipe lines existed over, from, and across the property of Mrs. Mary Lou Kirk, through which, it is alleged, waste material and noxious substances escaped, thereby emitting vile, obnoxious odors, said substance seeping into the earth upon the property of said Mrs. Mary Lou Kirk, becoming intermingled with the water streams and underground water streams upon her land, thereby injuring the health of the said Mary Lou Kirk, and the members of her family occupying her residence situated thereon and causing flies, gnats, mosquitoes, and other germ-bearing insects to congregate and accumulate upon said property and infest the premises and residence of the said Mary Lou Kirk, and rendering her real estate worthless or greatly diminished in market value, to her damage and injury in the sum of Fifteen Thousand (\$15,000.00) Dollars; and

Whereas, It is alleged that the State Health Department refused and still refuses to pay Mrs. Mary Lou Kirk the said sum of Fifteen Thousand (\$15,000.00) Dollars, and the said Mrs. Mary Lou Kirk claims that the State of Texas owes her said sum of Fifteen Thousand (\$15,000.00) Dollars, notwithstanding the refusal of the State Health Department to pay same; but it is distinctly understood that by the adoption of this resolution, the Legislature of Texas does not vouch for or express an opinion as to the truth or falsity of any of the above allegations, but that said allegations are inserted in this resolution merely as a matter of form and upon the representation of Mrs. Mary Lou Kirk, and that upon a trial of the case in the courts, the allegations of fact in this resolution are not to be con-

sidered as a legislative expression as to the truth or falsity thereof; now, therefore, be it

Resolved, by the Senate of the State of Texas, the House of Representatives concurring, That permission be given to said Mrs. Mary Lou Kirk to sue the State of Texas in a court of competent jurisdiction in Travis County, Texas, upon said claim above described.

The resolution was read second time and was referred, by the Speaker, to the Committee on State Affairs.

AUTHORIZING CERTAIN CORRECTIONS IN HOUSE BILL NO. 903

Mr. Lansberry offered the following resolution:

H. C. R. No. 147, Authorizing certain corrections in House Bill No. 903.

Whereas, House Bill No. 903 has passed the House and Senate; and

Whereas, Section 1 has been amended and the following words "to and including the mouth of" in line 4 and "where it empties into the Colorado River" in line 5 should be omitted; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Enrolling Clerk of the House be authorized to delete the above quoted words in order to clarify the previous amendments adopted by both Houses and amend the caption to conform.

The resolution was read second time and was adopted.

MEMORIALIZING CONGRESS IN REGARD TO RAIL TRANSPORTATION

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 59, Memorializing Congress in regard to Rail Transportation.

Whereas, The people of the United States expressed their determination to extend aid to the struggling Democracies in the world in the Lend-Lease Bill by "all out" aid; and

Whereas, The mechanized armies of today depend upon petroleum and

its products for continued operation, and in consideration of the serious situation in Iraq and Iran, where a British oil producing territory may be destroyed, thereby affecting the greatest industry of Texas and creating an international emergency; and

Whereas, There exists a serious shortage of tanker ships to transport oil and with many U. S. tankers diverted to Great Britain and perhaps many more being required if we are to supply the needs of the British Navy, which is our first line of defense, quoting Dr. Robert F. Wilson, oil consultant in the Office of Production Management, in a discussion of oil and defense requirements before a conference on natural resources and defense:

"The weakest link in the petroleum chain is in transportation, and the transfer of fifty American tankers to the British tends to intensify the transportation problem. The movement of petroleum along the Gulf Coast alone amounts to 1,250,000 barrels daily, requiring approximately 260 domestic tankers"; and

Whereas, Reports persist that the British have made large purchases of American crude oil to be moved from Texas Gulf ports to the North Atlantic ports, the situation creating a national emergency which should be met immediately by diversion of traffic from coastal tanker ships to the rails so as to release tankers for foreign service, this transfer of oil tankers being of utmost significance to the fortunes of war in Europe, Asia and Africa; and

Whereas, President Roosevelt also has recognized the danger of a serious "bottleneck" and has recommended the construction of additional pipe line facilities to take the burden off the tankers; and

Whereas, The railroads have ample power, idle private line tank cars and idle employees, which we feel should be utilized in preference to the delay in building lines; now, therefore, be it

Resolved, That the Texas Senate and the House concurring, request Congress to take advantage of the immediate availability of rail transportation service, and to meet the emergency in the transportation of

this commodity during the construction of pipe lines if the same is found to be necessary.

The resolution was read second time.

Mr. Alsup moved that the resolution be referred to the Committee on State Affairs.

Mr. Kersey moved to table the motion by Mr. Alsup.

The motion to table was lost.

Question then recurring on the motion to refer the resolution to the Committee on State Affairs, it prevailed.

HOUSE BILL NO. 29 WITH SENATE AMENDMENTS

Mr. Chambers called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 29, A bill to be entitled "An Act to amend Chapter 5, Title 14, of the Revised Criminal Statutes of Texas of 1925, as amended, by amending Articles 1037 and 1037a relating to weights and measures, and by adding the new Articles numbered as follows: Articles 1037b, 1037c, 1037d, 1037e, 1037f, 1037g, 1037h, 1037i, and 1037j, prohibiting the sale, use, or possession of false weights, measures, or weighing or measuring devices and weights, measures, or weighing or measuring devices which have not been sealed by a weights and measures official; prohibiting the sale and use of devices which have been condemned for repairs, etc.; and declaring an emergency."

Mr. Chambers moved that the House do not concur in the Senate amendments, and that a Conference Committee be requested to adjust the differences between the two Houses on the bill.

Mr. Reed of Bowie, moved that the House do not concur in the Senate amendments.

On motion of Mr. Lyle, the motion by Mr. Reed of Bowie, was tabled.

Question then recurring on the motion by Mr. Chambers, that the

House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the bill, it prevailed.

CONFERENCE COMMITTEE ON
HOUSE BILL NO. 29
INSTRUCTED

On motion of Mr. Lyle, the Conference Committee on House Bill No. 29 was instructed to contend for the provisions to delete all reference as to the weight of loaf of bread from the bill.

HOUSE BILL NO. 711 WITH
SENATE AMENDMENTS

Mr. Vale called up from the Speaker's table, with Senate amendments for consideration of the amendments,

H. B. No. 711, A bill to be entitled "An Act providing for a more adequate and equitable salary and increasing the amount for office and travel expenditures for county superintendents of public instruction in all those counties of Texas coming within the brackets and population figures herein; specifically in all those counties having not less than one hundred six thousand (106,000) and not more than one hundred seven thousand (107,000); and in all those counties having not less than ninety-two thousand (92,000) and not more than ninety-three thousand (93,000); and in all those counties having not less than eighty-three thousand (83,000) and not more than eighty-four thousand (84,000); and in all those counties having not less than twenty thousand, five hundred sixty (20,560) and not more than twenty thousand, five hundred seventy (20,570); and in all those counties having not less than twenty thousand, two hundred thirty (20,230) and not more than twenty thousand, two hundred fifty (20,250); and in all those counties having not less than thirteen thousand, two hundred twenty (13,220) and not more than thirteen thousand two hundred forty (13,240) according to the last preceding Federal Census; modifying all laws or parts of laws in conflict herewith; and declaring an emergency."

Mr. Vale moved that the House do not concur in the Senate amendments, and that a Conference Committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

HOUSE BILL NO. 431 WITH
SENATE AMENDMENTS

Mr. Hanna called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 431, A bill to be entitled "An Act making it unlawful to sell tickets to any sports event, amusement or entertainment in Texas for which an admission charge is made, in excess of the purchase price of the ticket appearing thereon, without having procured a license therefor from the Commissioner of Labor Statistics of the State of Texas; prohibiting the granting of any such license to any firm, partnership, association or corporation in the name of such; providing the procedure for the securing of a license and the license fee therefor; prescribing penalties; and declaring an emergency."

On motion of Mr. Hanna, the House concurred in the Senate amendments by the following vote:

Yeas—108

Allen	Colson, Mrs.
Allison	Connolly
Alsup	Crossley
Anderson	Daniel
Avant	Deen
Bailey	Donald
Baker	Dove
Bean	Duckett
Bell	Dwyer
Benton	Eubank
Boone	Favors
Bray	Ferguson
Bridgers	Files
Brown	Fitzgerald
Bullock	Fuchs
Bundy	Gandy
Burkett	Garland
Burnaman	Gilmer
Carlton	Halsey
Carrington	Hanna
Cato	Hargis
Clark	Harris of Hill
Cleveland	Hartzog
Coker	Heflin

Helpinstill	Markle
Hileman	Matthews
Howington	Mills
Hoyo	Montgomery
Huddleston	Moore
Hughes	Morgan
Humphrey	Pace
Hutchinson	Phillips
Isaacks	Price
Jones	Rampy
Kelly	Reed of Bowie
Kennedy	Reed of Dallas
Kersey	Ridgeway
King	Rhodes
Klingeman	Roark
Knight	Senterfitt
Lansberry	Sharpe
Lehman	Shell
Leyendecker	Simpson
Little	Skiles
Lock	Smith of Bastrop
Love	Smith of Atascosa
Lucas	Spacek
Lyle	Stanford
McAlister	Stinson
McCann	Taylor
McGlasson	Vale
McLellan	Wattner
McNamara	Weatherford
Manning	Whitesides

Nays—6

Craig	Lowry
Davis	Murray
Hobbs	Roberts

Present—Not Voting

Evans

Absent

Brawner	Manford
Bruhl	Morris
Celaya	Nicholson
Chambers	Parker
Dickson of Nolan	Pevehouse
Goodman	Sallas
Harris of Dallas	Spangler
Henderson	Stubbs
Howard	Turner
Huffman	Voigt
Kinard	Walters
McDonald	White
McMurry	

Absent—Excused

Blankenship	Martin
Crosthwait	Morse
Dickson of Bexar	Thornton
Ellis	Winfree
Hardeman	

Mr. Hanna moved to reconsider the vote by which the motion to concur prevailed, and to table the motion to reconsider.

The motion to table prevailed.

**APPOINTMENT OF CONFERENCE
COMMITTEE ON HOUSE
BILL NO. 29**

The Speaker announced the appointment of the following Conference Committee on House Bill No. 29:

Messrs. Fuchs, Chambers, Carrington, Crosthwait and Hoyo.

**HOUSE BILL NO. 42 ON
THIRD READING**

Mr. Humphrey moved that the necessary Rules be suspended for the purpose of taking up and considering, at this time, House Bill No. 42.

The motion to suspend the Rules was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—77

Allen	Halsey
Anderson	Hanna
Avant	Hartzog
Bailey	Henderson
Bean	Hileman
Bell	Hoyo
Boone	Huddleston
Bray	Humphrey
Bridgers	Isaacks
Brown	Jones
Bullock	Kelly
Bundy	Kennedy
Burnaman	King
Cato	Klingeman
Celaya	Leyendecker
Clark	Lock
Cleveland	Lucas
Coker	Lyle
Connelly	McAlister
Daniel	McCann
Davis	McDonald
Deen	McLellan
Donald	McMurry
Dove	Manford
Duckett	Manning
Dwyer	Markle
Eubank	Matthews
Ferguson	Mills
Files	Moore
Fitzgerald	Morgan

Parker	Simpson
Phillips	Smith of Bastrop
Price	Stinson
Rampy	Vale
Reed of Bowie	Wattner
Reed of Dallas	Weatherford
Ridgeway	White
Roark	Whitesides
Senterfitt	

Nays—38

Allison	Kersey
Benton	Knight
Brawner	Lansberry
Carrington	Lehman
Chambers	Little
Craig	Love
Crossley	McNamara
Evans	Morris
Favors	Murray
Fuchs	Pace
Gandy	Pevehouse
Gilmer	Rhodes
Harris of Dallas	Roberts
Harris of Hill	Smith of Atascosa
Heflin	Spacek
Helpinstill	Stanford
Howard	Stubbs
Howington	Turner
Hutchinson	Voigt

Absent

Alsup	Kinard
Baker	Lowry
Bruhl	McGlasson
Burkett	Montgomery
Carlton	Nicholson
Colson, Mrs.	Sallas
Dickson of Nolan	Sharpe
Garland	Shell
Goodman	Skiles
Hargis	Spangler
Hobbs	Taylor
Huffman	Walters
Hughes	

Absent—Excused

Blankenship	Martin
Crosthwait	Morse
Dickson of Bexar	Thornton
Ellis	Winfree
Hardeman	

Mr. Fitzgerald moved that the necessary Rules be suspended for the purpose of taking up and considering, at this time, House Bill No. 42.

The motion prevailed by the following vote:

Yeas—86

Allen	Kelly
Allison	Kennedy
Alsup	King
Anderson	Klingeman
Avant	Leyendecker
Bailey	Lock
Baker	Lowry
Bean	Lucas
Bell	Lyle
Bray	McAlister
Brown	McCann
Bullock	McDonald
Bundy	McLellan
Burkett	McMurry
Carrington	Manford
Cato	Manning
Clark	Matthews
Cleveland	Mills
Coker	Moore
Colson, Mrs.	Morgan
Connelly	Morris
Crossley	Parker
Daniel	Pevehouse
Davis	Phillips
Deen	Price
Dove	Rampy
Dwyer	Reed of Bowie
Eubank	Reed of Dallas
Files	Ridgeway
Fitzgerald	Roark
Gandy	Senterfitt
Halsey	Shell
Hanna	Simpson
Hargis	Skiles
Hartzog	Smith of Bastrop
Henderson	Stinson
Hileman	Stubbs
Hoyo	Taylor
Huddleston	Vale
Humphrey	Wattner
Hutchinson	Weatherford
Isaacks	White
Jones	Whitesides

Nays—34

Benton	Howington
Burnaman	Hughes
Chambers	Knight
Craig	Lansberry
Evans	Lehman
Favors	Little
Ferguson	Love
Fuchs	McGlasson
Garland	McNamara
Gilmer	Murray
Harris of Dallas	Pace
Harris of Hill	Rhodes
Heflin	Roberts
Helpinstill	Sallas
Howard	Smith of Atascosa

Spacek
Stanford

Turner
Voigt

Absent

Boone	Hobbs
Brawner	Huffman
Bridgers	Kersey
Bruhl	Kinard
Carlton	Markle
Celaya	Montgomery
Dickson of Nolan	Nicholson
Donald	Sharpe
Duckett	Spangler
Goodman	Walters

Absent—Excused

Blankenship	Martin
Crosthwait	Morse
Dickson of Bexar	Thornton
Ellis	Winfree
Hardeman	

The Speaker then laid before the House, on its third reading and final passage,

H. B. No. 42, A bill to be entitled "An Act providing a unified, comprehensive code of procedures for financial administration, including financial planning and budgeting, accounting and financial control, current auditing of receivables and receipts and preauditing of expenditures, purchasing and property control, and management of general government buildings; creating a Governor's Cabinet, a Department of Finance and Control, a Director of the Budget, a Director of Purchasing, a Division of Accounting, and prescribing their power and duties, a Classified Civil Service based upon the merit system for Personnel Administration, an Advisory Personnel Council; prescribing methods of procedures for personnel administration, and creating an auditor of State, a Commissioner of Institutions, and prescribing their powers and duties; making transfers of functions from existing officers and other agencies to the agencies so created; abolishing certain agencies; declaring the rule that the remainder of the Act shall not be affected by the unconstitutionality or invalidity of any part thereof, repealing all laws and parts of laws in conflict herewith, prescribing penalties for violations of provisions of this Act, and declaring time of going into effect."

The bill was read third time.

Mr. Humphrey offered the following amendment to the bill:

Amend line 4, Section 4, page 5, Article III, by striking out "and a Chief Accountant."

HUMPHREY,
ALSUP.

The amendment was unanimously adopted.

Mr. Alsop offered the following amendment to the bill:

Amend House Bill No. 42 by striking out all of Article VI and substituting in lieu thereof the following:

Article VI

Accounting Division

Section 1. Chief Accountant:

The Accounting Division shall be in charge of a Chief Accountant, which position is hereby created, who shall be appointed by the Comptroller of Public Accounts to serve for a two year term. Said Chief Accountant shall exercise his powers and discharge his duties under the supervision of the Comptroller of Public Accounts.

Sec. 2. Qualifications:

The Chief Accountant shall be a Certified Public Accountant, qualified and experienced in public organization and administrative affairs.

Sec. 3. Powers and Duties of Chief Accountant:

The Comptroller of Public Accounts through the Chief Accountant shall prescribe and cause to be installed a unified and integrated system of accounts for the State and shall exercise a continuing supervision over the maintenance of such accounts. All such accounts shall be kept by the Comptroller of Public Accounts and the various State departments. The accounts set up may include:

(a) A set of budgetary control accounts for each fund, comprising an account with the available cash of the fund, an account with the budget estimates of the amount of money to be derived from each source of revenue and nonrevenue

receipts, an account with the total of the unencumbered balances, an account with the total commitments, and an account with the estimates, cash surplus or deficit as the case may be, so as to show at all times the status of the fund.

(b) A subsidiary appropriation ledger for each fund from which appropriations are made. This ledger shall include an account with each appropriation designed to show: The budget unit to which the appropriation was made; the purpose of the appropriation, the amount appropriated, additions to the appropriation, allotments for appropriation, the unallotted balance of the total amount allotted.

Sec. 4. Standard Forms for Local Government:

The Comptroller of Public Accounts through the Accounting Division shall prescribe standardized accounts for the local political subdivisions of the State, and shall prescribe and furnish to the local political subdivisions standard forms to enable better compliance with the State's Uniform Budget Law for local political subdivisions.

Sec. 5. Comptroller of Public Accounts.

The Comptroller of Public Accounts shall receive all claims, inspect and verify same in accordance with laws and regulations and shall deny payments of same and/or pay same in whole or in part in accordance with its compliance with laws and regulations by issuing of warrant on the treasury of the State of Texas. All preauditing powers and duties herein and above expressed are hereby vested in and delegated to the Comptroller of Public Accounts.

Sec. 6. The Comptroller of Public Accounts shall maintain the central accounts of the State. These accounts shall be arranged so as to provide the Department of Finance and Control with the information which it needs to carry out the duties placed upon it by this Act. The Department of Finance and Control shall keep no accounts except those which cannot be kept satisfactorily elsewhere.

Sec. 7. That Article 4364 of the Revised Civil Statutes of 1925 of this

State, as amended by House Bill No. 495, Chapter 243, Acts of the Regular Session of the Forty-second Legislature, be amended so as to read as follows:

The Comptroller shall maintain a double entry system of bookkeeping and shall keep such ledgers and accounts as may be necessary to show the sources of the State's revenues and the purposes for which expenditures are made, and shall provide proper accounting controls for the protection of the finances of the State.

1. The Comptroller shall keep the following ledgers: State General Ledger, Tax Collectors' Control Ledger, Tax Collectors' Ledger for Cash Accounts, Tax Collectors' Ledger for Current Year Assessments, Tax Collectors' Ledger for Occupation Taxes, Tax Collectors' Ledgers for Insolvent Taxes, Tax Collectors' Ledger for Delinquent Taxes, Departmental Suspense Ledger, General Land Office Suspense Ledger, Bond Ledgers for State-owned Bonds, Securities Ledgers, Appropriation Ledgers, or other ledgers as may be found necessary.

2. The Comptroller shall also keep supporting and analysis records as follows: General Journal, Deposit Warrant Registers, Pay Warrant Registers, Warrant Cancelled Register, Suspense Cash Book, Bond Authorization Register, Securities Register, Tax Collectors' Journal, Tax Collectors' Report Register, Occupation Tax Register, Revenue Analysis, Expense Analysis, or other records as may be found necessary.

3. The State General Ledger shall contain controlling and fund accounts. All accounts in the General Ledger shall be kept on a double-entry basis. All entries to the General Ledger shall be journalized and postings made from the General Journal. The following accounts shall be kept in the General Ledger: State Treasurer Cash Account, State Treasurer Bond Account, State Treasurer Securities in Trust, Warrants Payable, Departmental Suspense, General Land Office Suspense, Securities in Trust Fund Accounts Showing Net Balances, separate account for each fund, Fund Accounts for Bonds Owned, separate account for each

fund, or other accounts as may be found necessary.

The accounts with the State Treasurer shall be charged with the cash on hand and in depository banks, and with all bonds and securities held for the funds of the State or in trust. The Comptroller shall charge the State Treasurer in totals of all deposit warrants and the deposit receipts as issued, and credit him with warrants paid, so that the balance in the Treasurer's hands, together with the balance in the State Depositories, shall agree with the balance shown by the accounts.

Accounts shall be kept for the purpose of showing the amounts of outstanding pay warrants of each class, which shall be credited with the warrants issued and charged with the warrants paid, so that the balances shall represent the aggregate amount of outstanding warrants.

Accounts shall be kept for funds, a separate account for each fund, which shall be credited with deposit warrants and charged with pay warrants issued: Balances of such accounts shall represent balances in the funds after taking into consideration all warrants issued. Accounts shall also be kept showing the bonds or securities owned by each fund.

4. Revenue Analysis.—A revenue analysis record shall be kept in which a distribution shall be made of the revenues derived by the State from all sources, and the amounts derived from each source. The sources of revenue received as represented by the deposit warrants issued therefor by the Comptroller shall be posted to this record.

5. Expense Analysis.—An expense analysis record shall be kept, in which a distribution shall be made of the disbursements made from State funds, which shall be classified by departments or institutions, by objects of expenditure, or other classifications as may be deemed advisable.

6. Accounts of Tax Collectors.—A ledger shall be kept which shall contain controlling accounts against which the individual accounts with Tax Collectors shall be balanced. This ledger shall be kept on a double-entry basis, shall be self-balancing, and shall be balanced at the close of each month. Individual accounts

shall be kept with Tax Collectors, which shall be charged with all amounts of taxes due the State, and which are to be collected by the Tax Collectors, or which have been collected by the Tax Collectors and have not been paid over to the State Treasurer; and credited with all payments, commissions, cancellations and other adjustments of such taxes allowed by law, which accounts shall be balanced monthly with the controlling accounts. Separate accounts shall be kept for current taxes and for delinquent taxes, or other accounts as may be necessary.

7. Suspense Ledger.—A suspense ledger shall be kept in which the accounts of the State Treasurer shall be stated in respect to moneys held by him pending the issuance of deposit warrants and moneys and securities held other than those for State purposes, for all which the Comptroller shall issue deposit receipts, posting the same to this ledger. It shall also include the accounts with heads of departments for all moneys received by them and deposited with the State Treasurer in suspense.

8. Appropriation Ledgers.—The Comptroller shall keep accounts with all appropriations made by the Legislature, an account being kept for each appropriation, which shall be credited with the amount of the appropriation and charged with all pay warrants issued under the authority of appropriations. Each account shall show the law authorizing the appropriation. The total of all appropriations so credited shall be credited to a control accounts called "appropriations voted." The daily totals of the warrants issued shall be charged to this control account, so that the balance shall represent the amount of unused appropriations. The individual appropriation accounts shall be balanced monthly against the "appropriations voted" account. The heads of all State Departments, Institutions, Boards and Commissions or other officials or employees of the State who are or may be authorized to make purchases or incur any indebtedness to be paid from appropriated funds shall keep accounts for such appropriations as apply to their respective Departments, Institutions, Boards or Com-

missions, and shall balance such accounts monthly against the like accounts kept by the Comptroller.

9. Encumbrances.—The Comptroller shall approve in advance of payment the amount of all expenditures to be paid from funds for which appropriations have been made and shall encumber and/or allot all appropriations against which purchase requisitions or orders are issued; and the Comptroller shall have the authority to encumber and/or allot such other appropriations as he deems essential to a proper and uniform system of record-keeping on an encumbrance or allotment basis.

The Comptroller shall have the authority and he is hereby directed to require all departments, commissions, boards, divisions, institutions, agencies, and other units of the State Government to furnish such information as he deems necessary to maintain appropriations on an encumbrance and/or allotment basis.

After the purchase requisition has been approved by the Director of Purchasing, but before a purchase order for the article or articles requisitioned has been made, it shall be the duty of the Director of Purchasing to furnish the Comptroller for his approval the original and a copy of said purchase order, which shall show the department, commission, board, division, institution, agency, or other unit of State Government making the requisition, the requisition number, the purchase order number, the appropriation and number out of which the purchase is to be paid, a description of the article, the cost of the article, the person or firm from whom the article has been purchased, and such other information as the Comptroller may require. When the Comptroller has approved the amount of the purchase order he shall return the original to the Director of Purchasing for the making of the order and shall retain the copy of said purchase order for his records.

The Comptroller shall have the authority to prescribe such forms as he may deem necessary to carry this act into effect, and he shall further have the power and it shall be his duty, from time to time, to adopt, publish and enforce reasonable rules and regulations not inconsistent

herewith for the purpose of carrying out the provisions of this Act.

If any department, commission, board, division, institution, agency, or other unit of the State Government shall fail or refuse to furnish the Comptroller any or all the information required under the terms of this Act, or which the Comptroller requires under the terms of this Act, the Comptroller shall not write or issue any warrants whatsoever or any of the appropriations made for the benefit of such defaulting department, commission, board, division, agency or other unit of State government until the required information has been furnished.

ALSUP,
HUMPHREY.

The amendment was unanimously adopted.

By unanimous consent of the House the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Mr. Brawner moved to postpone further consideration of House Bill No. 42 until 10:00 o'clock a. m. next Monday.

On motion of Mr. Humphrey the motion to postpone was tabled.

Mr. Manford moved the previous question on the final passage of House Bill No. 42 and the main question was ordered.

House Bill No. 42 was then passed by the following vote:

Yeas—84

Allen	Clark
Allison	Coker
Alsup	Colson, Mrs.
Avant	Connelly
Bailey	Crossley
Baker	Daniel
Bean	Davis
Bell	Deen
Benton	Dove
Boone	Duckett
Bray	Eubank
Bridgers	Favors
Brown	Ferguson
Bullock	Files
Bundy	Fitzgerald
Carrington	Gandy
Cato	Goodman

Halsey	Manning
Hanna	Markle
Hargis	Matthews
Hartzog	Mills
Henderson	Montgomery
Hileman	Moore
Hoyo	Morgan
Humphrey	Parker
Hutchinson	Phillips
Isaacks	Price
Jones	Rampy
Kelly	Reed of Bowie
Kennedy	Reed of Dallas
King	Ridgeway
Klingeman	Roark
Love	Sallas
Lowry	Senterfitt
Lucas	Simpson
Lyle	Smith of Bastrop
McAlister	Stinson
McCann	Vale
McDonald	Wattner
McLellan	Weatherford
McMurry	White
Manford	Whitesides

Nays—41

Browner	Knight
Burkett	Lansberry
Burnaman	Lehman
Carlton	Leyendecker
Chambers	Little
Cleveland	Lock
Craig	McNamara
Evans	Morris
Fuchs	Murray
Garland	Pace
Gilmer	Pevehouse
Harris of Dallas	Rhodes
Harris of Hill	Roberts
Heflin	Skiles
Helpinstill	Smith of Atascosa
Hobbs	Spacek
Howard	Stanford
Howington	Stubbs
Huddleston	Turner
Hughes	Voigt
Kersey	

Absent

Anderson	McGlasson
Bruhl	Nicholson
Celaya	Sharpe
Dickson of Nolan	Shell
Donald	Spangler
Dwyer	Taylor
Huffman	Walters
Kinard	

Absent—Excused

Blankenship	Dickson of Bexar
Crosthwait	Ellis

Hardeman	Thornton
Martin	Winfree
Morse	

Mr. Manford moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills and resolutions:

H. C. R. No. 106, Granting the City of Austin certain easement.

H. C. R. No. 144, Providing for certain adjournment period.

H. C. R. No. 132, Authorizing certain corrections in House Bill No. 354.

H. C. R. No. 137, Authorizing certain corrections in House Bill No. 978.

H. B. No. 21, "An Act to amend H. B. No. 144 of the 45th Legislature by striking out Section 4 of said Act and substitute in lieu thereof, a provision providing for an appropriation fund to pay salaries, compensation, and other expenses of said Board; repealing all laws in conflict with this Act; and declaring an emergency."

H. B. No. 193, "An Act defining publication, newspaper, political subdivision, district and certain mandatory expressions; designating persons to select newspapers in which publications are to be inserted; fixing a legal rate for publications in newspapers; providing for the publication of notices, proclamations, advertising, and citations in newspapers; repealing conflicting provisions of Articles 3, 29, 1154, 3311, 3334, 3808, 4203, 7206, 7276, 7342 and 7624 of the Revised Civil Statutes, of Article 4115 of the Revised Civil Statutes as amended by Acts of 1935, 44th Legislature, Chapter 254, Section 1, of Acts of 1925, 39th Legislature, Chapter 161, Sections 2 through 6, of Acts of 1933, 43rd Legislature, 1st Called Session, Chapter 84, Section 1, and of Acts

of 1937, 45th Legislature, Chapter 506; repealing all parts of laws in conflict; providing a rule of construction; and declaring an emergency."

H. C. R. No. 91, Granting City of Austin certain easement.

H. C. R. No. 134, Authorizing certain corrections in House Bill No. 903.

H. B. No. 900, "An Act to amend Senate Bill No. 220, Chapter 354, Acts of the Regular Session of the Forty-second Legislature, page 844, by adding a new section thereto to be known as Section 3a following Section 3, so as to authorize expenses in the investigation of crime and an allowance of four cents (4¢) a mile for each mile traveled, to the criminal district attorney in counties operating under such Act; providing that such expenses shall be paid by the commissioners' court as other expenses are paid; and declaring an emergency."

ADJOURNMENT

Mr. Kersey moved that the House adjourn until 10:00 o'clock a. m. next Monday.

Mr. Morgan moved that the House adjourn until 10:00 o'clock a. m. tomorrow.

The motion of Mr. Kersey prevailed and the House, accordingly, at 6:00 o'clock p. m., adjourned until 10:00 o'clock a. m. next Monday, May 19.

APPENDIX

STANDING COMMITTEE REPORT

The following committees have filed favorable reports on bills, as follows:

School Districts: H. B. No. 1036.

Appropriations: H. B. Nos. 848, 930 and 964.

Highways and Motor Traffic: H. B. No. 1028.

Public Lands and Buildings: S. B. No. 348.

Rules: S. B. No. 470.

Counties: H. B. Nos. 1034 and 1035.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 316, A bill to be entitled "An Act providing for the payment of delinquent taxes to the Assessor and Collector of Taxes of the respective counties of the State of Texas in equal installments at the option of the taxpayer, the first payment to be due within 90 days after the effective date of the Act; requiring the Tax Assessor and Collector to furnish the taxpayer with a statement of his delinquent taxes, whereupon the taxpayer shall declare the method which he will adopt in the payment of such delinquent taxes; providing the penalty and interest be calculated up to the date of the first installment payment, after which no additional penalties or interest shall be added on the unpaid portion; providing for the issuance by the Tax Assessor-Collector of a receipt showing each installment payment and the balance due and for the crediting of such payment to the taxpayer's account on the delinquent tax roll. Providing for the apportionment of such taxes by the Tax Assessor-Collector; providing that the provisions of this Act shall not apply to any political division whose taxes are not assessed and collected by the County Tax Assessor-Collector; and providing the method whereby such political division or divisions may adopt the provisions of this Act; giving to delinquent taxpayers the benefit of any remission of penalties and interest by the Legislature; requiring the delinquent taxpayer to pay each year's delinquency in the chronological order; requiring the Tax Assessor-Collector to advertise in a newspaper of general circulation the effective date of this Act and the method of payment of delinquent taxes; providing this Act shall not affect existing delinquent tax suits; repealing all con-

flicting laws and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 511, A bill to be entitled "An Act amending Article 8306, Section 7, of the Revised Civil Statutes of Texas, 1925, as amended by Acts of the Forty-sixth Legislature of Texas, 1939, page 712, so as to provide for the furnishing of artificial appliances to injured claimants; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 528, A bill to be entitled "An Act providing for compensation for County Auditor and Purchasing Agent in certain counties; providing mode and manner of payment of such salary; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 622, A bill to be entitled "An Act amending Article 1115, Chapter 10, Title 28, Revised Civil Statutes of Texas, 1925, so as to provide for the appointment of a Board of Trustees by the City Council of such towns consisting of not more than five members, one of whom shall always be the Mayor, at any time after certain encumbrances

have been created; repealing all laws or parts of laws in conflict therewith and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 689, A bill to be entitled "An Act amending House Bill No. 920 of the General and Special Laws of the Forty-third Regular Session of the Legislature making it lawful to take fur bearing animals by trap in San Augustine and Sabine Counties."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 750, A bill to be entitled "An Act amending Chapter 39, Acts of the 44th Legislature, by adding thereto Section 3, providing that the authority conferred on the Court to alter, change, or supersede the provisions of judgments providing for the support of minor children, and the authority conferred upon the Court to enforce such judgments may be exercised by the Judge of said Court in vacation; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 751, A bill to be entitled "An Act repealing H. B. No. 430, Acts of the Regular Session of the 46th Legislature, same being Article 7466f, Vernon's Civil Statutes of Texas, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 806, A bill to be entitled "An Act fixing the term of office of school trustees of independent school districts, whether created under general law or by special act of the Legislature, having as many as 602 and not more than 607 scholastics according to the 1940 official scholastic census and wherein there may be situated a city having a population of as many as 1725 and not more than 1730 according to the last preceding Federal Census; and having a board of seven trustees; providing that in all such school districts trustees shall be voted upon and elected separately for positions on said board of trustees and prescribing a method whereby trustees in any such school districts within ten days from the effective date of this Act shall draw for positions on any such board of trustees in any such school districts; providing the manner and method of electing trustees thereafter in any such district and for an official ballot for use in such trustee elections and the time within which and the manner in which a person desiring to become a candidate for election shall give notice of his or her candidacy as the case may be; further providing that in any such election no candidate shall be eligible to have his or her name placed on the official ballot for more than one position; to be filled at any such election; further providing that at any such election each voter shall vote for only one candidate for each such position and that the candidate receiving the highest number of votes for each respective position voted upon at any such election shall be entitled to serve as trustee on said board, holding the position thereon to which he or she as the case may be shall have been so elected; providing for the manner and method of giving notice of elections for trustees in all independent school districts included within the terms of

this Act; further providing that all laws and parts of laws, both general and special, insofar only as they may be in conflict herewith, are repealed; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 857, A bill to be entitled "An Act amending Article 3125, Revised Civil Statutes, 1925, as amended by Chapter 225, Acts of the Forty-third Legislature to provide certain changes with respect to the canvass of election returns by the county executive committee; amending Articles 3126, 3128, 3129, 3130, 3131, 3146, 3147, 3148, 3150, Revised Civil Statutes, 1925, and Article 3153, Revised Civil Statutes, 1925, as amended by Chapter 241, Acts of the Forty-second Legislature, providing certain changes in the conduct of elections, for the determining of nominees, and for the prosecution of election contests; repealing Articles 3149 and 3151, Revised Civil Statutes, 1925, and repealing Article 3152, Revised Civil Statutes, 1925, as amended in Chapter 19, Acts of the Fortieth Legislature, as amended by Chapter 241, Acts of the Forty-second Legislature, and repealing all other laws or parts of laws in conflict with the provisions of this Act; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 887, A bill to be entitled "An Act amending Sections 2, 5 and 10 of Chapter 506, Acts 1937, 45th Legislature, page 1494-a, as amended by House Bill No. 565, Section 1, Acts 1939, 46th Legislature; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 890, A bill to be entitled "An Act empowering the Commissioners Court to fix the salary of county officers in counties having a population of not less than twenty thousand, five hundred and seventy (20,570) and not more than twenty thousand, six hundred (20,600) according to the last preceding Federal Census; repealing all laws and parts of laws in conflict; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 898, A bill to be entitled "An Act amending Article 122 of the Penal Code of the Revised Statutes of 1925, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 938, A bill to be entitled "An Act to amend Article 2940, Revised Civil Statutes of Texas, so as to authorize school trustees, including rural school trustees, to act as judge, clerk or supervisor of any election; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 961, A bill to be entitled "An Act applicable to and controlling all counties of this State having a population of more than three hundred and ninety thousand (390,000) inhabitants and less than five hundred thousand (500,000) inhabitants according to the last preceding Federal Census; conferring upon the Commissioners Court of such counties full power, authority and supervision of all public roads therein, other than State highways, and prescribing the rights, powers and duties of said court over such public roads; prescribing the powers and duties of each County Commissioner and fixing the respective salaries; authorizing the appointment of certain standing committees from the membership of the Commissioners Court and prescribing the powers and duties of such committees; authorizing the appointment of a County Engineer, prescribing his duties, qualifications and salary; authorizing the purchase of automobiles for the use of the County Commissioners and payment of all necessary traveling expenses of the County Judge, County Auditor and County Commissioners; authorizing the appointment of a special counsel by the Commissioners Court and prescribing his duties and qualifications; authorizing the Commissioners court to purchase or condemn property, and so forth; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 962, A bill to be entitled "An Act authorizing the Board of Directors of the Agricultural and Mechanical College of Texas, for the use and benefit of John Tarleton Agricultural College, to construct or acquire, and equip not more than two dormitories, or to construct and

equip additions to not more than two existing dormitories; authorizing and requiring said Board to fix fees, rentals, and charges for the use of such dormitories and to make parietal rules concerning the same; authorizing the issuance of negotiable revenue bonds payable from and secured by revenues from such dormitories and of certain dormitories heretofore or hereafter constructed or acquired; authorizing the issuance of negotiable refunding bonds, and of refunding and construction bonds, secured by and payable from revenues as herein provided; providing that bonds authorized in this Act shall not constitute an indebtedness of the State of Texas, and so forth; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 965, A bill to be entitled "An Act making it unlawful for any person, not a member of the Texas Defense Guard, to wear the shoulder patch, the arm brassard, or the collar ornaments duly prescribed as part of the uniform of said Defense Guard, or any imitation of said articles; also making it unlawful for any member of said Defense Guard to purchase or have in his possession such articles of uniform, or any imitation thereof, unless they are purchased through or on approval of the Adjutant General of Texas; also making it unlawful for any person to sell, offer for sale, dispose of, or purchase any such articles except when and as authorized under regulations prescribed by the Governor; also providing the punishment for offenses against such provisions; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 967, A bill to be entitled "An Act authorizing the allowance of traveling expenses for members of the commissioners' court in certain counties; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 971, A bill to be entitled "An Act authorizing cities and towns eligible under the terms of this Act to fund certain indebtedness outstanding on the effective date of this Act; prescribing the method and procedure for issuance of funding or refunding bonds, and which cities or town cannot derive revenues for general fund operating expenses from any publicly owned utilities at this time; validating such outstanding indebtedness not in litigation at the time this Act becomes effective; providing that this Act shall not increase the debt burden of any such city or town; providing that this Act shall be cumulative of all other Acts, but that its provisions shall prevail in the event of conflict with other laws; enacting provisions incident to and relating to the subject; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 973, A bill to be entitled "An Act authorizing the Commissioners Court of any county in this State to call an election for the purpose of issuing bonds or warrants for the purpose of acquiring tracts of land and constructing buildings and improvements thereon for an agricultural experiment station; authorizing said Commissioners Court to levy and collect a tax sufficient to pay the annual interest and to pro-

vide a sinking fund for the payment of the principal at maturity; providing that the election shall be held under provisions of Title 22, Chapters 1 and 2, Revised Civil Statutes of 1925; authorizing the Commissioners Court to lease any experiment station acquired under authority of this Act to the State of Texas or to any agency of the Federal Government; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 976, A bill to be entitled "An Act regulating the solemnization of marriages in this State, prohibiting any person from soliciting, within any courthouse, public building, or upon the grounds thereof, for the privilege of performing any marriage ceremony, providing for injunctive relief to prevent any such person from performing marriage ceremonies, providing a penalty; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 981, A bill to be entitled "An Act permitting estates of deceased Texas citizens and others being administered within its jurisdiction, to take advantage of savings in Federal income taxes, authorized under Section 162 of the Federal Internal Revenue Code, by providing that where the estate of a deceased person is being administered under the direction, control and orders of a county court in the exercise of its probate jurisdiction, upon the application of the executor or administrator of said estate, or any interested party, after notice thereof as provided for in Section 6 and

7 of House Bill No. 112, Chapter 446 of the Forty-fourth Legislature, Second Called Session, 1935, relating to notices of applications filed under the provisions of said House Bill No. 112, and when it appears, from the evidence introduced at the hearing of said application, and the court finds that the reasonable market value of the assets of the estate then on hand, exclusive of the annual income therefrom, is at least twice the aggregate amount of all unpaid debts, administration expenses and legacies, and no creditors or legatees of the estate then appearing and objecting, the county court may order and direct the executor or administrator to pay to, or credit to the account of those persons who the court finds will own the assets of the estate, when the administration thereon is completed, and so forth; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 988, A bill to be entitled "An Act to fix a maximum rate of tax to be levied for school purposes in all independent school districts which include within their limits a city or town which, according to the latest preceding Federal Census, had a population of not fewer than 680 and not more than 690 inhabitants, and being in counties containing not less than 4050 and not more than 4060 inhabitants, according to the last preceding Federal Census, whether organized under a general or special law; repealing all laws conflicting herewith; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 990, A bill to be entitled "An Act authorizing Gulf Coast counties in Texas having fifty thousand population or more to construct, acquire, improve, operate and maintain causeways, bridges, tunnels or any combination thereof, including related properties and ferries, and to issue their revenue bonds payable solely from the revenues to be derived from the operation of such projects; making various provisions with respect thereto and with respect to the security and enforcement of such bonds, including provision for the execution of trust indentures, for the appointment of receivers for such projects, and for the deposit and security of funds in banks and trust companies; providing for approval of such bonds by the Attorney General; authorizing such counties to exercise the rights of condemnation in the manner provided; authorizing such counties to enter into agreements with the state or federal governments of any agencies or instrumentalities thereof; granting to such counties easements and rights of way in and over the state lands and properties; providing for the management and control of such projects; providing that such projects and bonds shall be exempt from taxation; providing that the powers herein granted may be exercised without the consent or regulation of any state department, commission or agency; authorizing the State Highway Commission to operate, maintain or lease such projects; authorizing the refunding of such bonds; validating existing agreements; making general provisions with respect to the above; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 991, A bill to be entitled "An Act making it unlawful for any person to shoot, take, trap, snare, or in any other manner kill or have in his possession any quail in Bee

County, Texas, for a period of two (2) years, except as otherwise herein provided by the authorization of the Game, Fish and Oyster Commission; prescribing a penalty; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 993, A bill to be entitled "An Act to amend Title 5, Article 176, of the Revised Civil Statutes of the State of Texas (1925) by adding a new Article to be designated as Article 176-A; providing that Reports of Alien Ownership of land may be filed on or before the last day of December, 1941; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 995, A bill to be entitled "An Act to declare a closed season on the killing of wild deer and wild turkey in Throckmorton, Shackelford and Haskell Counties for a period ending February 1, 1946; prescribing a penalty therefor; repealing House Bill No. 198 of the Forty-seventh Legislature; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 994, A bill to be entitled "An Act authorizing the County

Judges and County and District Clerks to employ a stenographer or a secretary in any counties having a population of not less than two thousand, eight hundred twenty-five (2,825) and not more than two thousand nine hundred (2,900), and in counties having not less than six thousand one hundred (6,100), and not more than six thousand one hundred fifty (6,150), inhabitants according to the last preceding Federal Census; regulating the salary of same; providing for payment of salary; providing for removal; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 997, A bill to be entitled "An Act appropriating One Thousand Dollars for the Commission of Appeals to the Court of Criminal Appeals; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 998, A bill to be entitled "An Act authorizing the separation or divorcement of public schools from municipal control in municipal school districts entirely surrounded by a county line common school district, pursuant to an election to be held for that purpose; defining the terms 'municipal district' and the term 'governing body' of the city or town; prescribing the method of procedure precedent to calling such election; providing that such election shall be held as nearly as possible in compliance with law with reference to regular city elections, and prescribing qualifications of voters of such election; prescribing form of ballot for such election; prescribing certain duties of the

governing body of the city or town and board of education or trustees of the municipal district in respect to declaring the result of such election; providing that if the proposition is defeated, no election for that purpose shall be ordered until after the expiration of one year from date of such election; providing that except as herein defined or limited, such school districts, after separation from municipal control, shall have all the powers of common school districts, conferred by law; providing that nothing herein shall be construed as abrogating or repealing any existing bond tax; providing for the election of trustees of such school districts; providing that such school districts shall in all respects be subject to and conducted under laws regulating common school districts; providing that title to all school property shall immediately vest in the board of education or trustees of said common school districts; providing that all bonds and obligations of any such city or town, as a municipal school district, shall become obligations of debt for the common school district at the time of separation from municipal control, and it shall not be necessary to call an election for the assumption of such debt; providing that such newly created common school district may consolidate with a contiguous district when approved in separate elections and the district so annexed shall have representation on the Board of Trustees; providing that upon annexation each district shall remain liable on its bonds unless by separate election in each district, and so forth; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 999, A bill to be entitled "An Act declaring it unlawful for any person to kill, take, or have in his possession for purpose of sale in Nacogdoches County any wild fox or the pelts thereof; providing that this

law shall be enforced for a period of two (2) years; prescribing a penalty for the violation of this Act; and repealing all laws in conflict; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 1000, A bill to be entitled "An Act authorizing independent school districts and cities which have assumed the control of public schools situated therein, in any county having a population of not less than Twenty-one Thousand, Five Hundred Ninety (21,590) and not more than Twenty-one Thousand Six Hundred Twenty (21,620) according to the last preceding Federal Census, to build or purchase buildings and grounds located within or without the district or city, for the purpose of constructing gymnasias, stadia, or other recreational facilities, and to mortgage and encumber the same, and the income thereof, and to evidence the obligation therefor by the issuance of bonds to secure the payment of funds to purchase or construct or to purchase and construct the same; providing that the purchaser shall have a franchise to operate same in case of foreclosure; providing that no such obligation shall ever be a debt of any such school district or city; but solely a charge upon the property so encumbered; providing that no election for the issuance of such bonds shall be necessary; providing that such project shall be deemed self-liquidating in character; providing that the cost of maintaining and operating the project shall be a first charge against the revenues of the project; providing that such bonds shall be payable from the net revenues of the project, together with all future extensions or additions thereto, or replacements thereof; providing for the payment of said bonds; providing that the holder of said bonds shall never have the right to demand payment

thereof out of any funds raised or to be raised by taxation; providing that said bonds shall be approved by the Attorney General and registered by the State Comptroller; providing that no bonds authorized shall be issued or executed after the expiration of two (2) years from the effective date of this Act; providing that no land upon which is situated school improvements shall be subject to the indebtedness created hereunder; validating acts heretofore performed by school districts; enacting provisions incident and relating to the subject and purpose of this Act; and providing further for the issuance of revenue bonds by independent school districts and cities which have assumed the control of the public schools situated therein, for the purpose of building additions to existing gymnasias, stadia and other recreational facilities owned by the same, and purchasing additional buildings and grounds for the purpose of constructing additions to existing gymnasias, stadia and other recreational facilities; providing that any bonds issued shall be payable from the net revenues of the projects after payment of the operating and maintenance charges; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 1001, A bill to be entitled "An Act authorizing independent school districts in counties having a population of not less than one hundred and three thousand (103,000) and no more than one hundred and nine thousand (109,000), according to the last preceding Federal Census, to levy and collect additional maintenance taxes; providing for elections to authorize such tax levies; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 1003, A bill to be entitled "An Act amending Article 8221 of the Revised Civil Statutes of Texas of 1925 so as to provide that in any county with not less than one hundred thirty-five thousand (135,000) population and not more than one hundred ninety thousand (190,000) population, according to the last Federal Census, the county treasurer for acting as treasurer of a navigation district, shall receive from such district as compensation for his services, a salary of Fifty (\$50.00) Dollars per month, and so forth, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 1004, A bill to be entitled "An Act providing in all counties having a population of not less than twenty-nine thousand, two hundred and forty (29,240) and not more than twenty-nine thousand, two hundred and fifty (29,250), according to the last preceding, or any future, United States Federal Census, there shall be imposed upon all male persons who do not reside in an incorporated city, town or village, the duties of working five (5) days of eight (8) hours efficient service on public roads each year, or the payment on or before May first of each year the sum of Three Dollars (\$3); providing for the summoning of persons in said counties for work on the public roads, said summons when issued shall compel the persons to be given notice one full day before they are to report after summons for road duty; fixing age bracket for persons to be summoned; repealing all laws in conflict herewith; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 1007, A bill to be entitled "An Act making it unlawful to kill quail in Roberts County, Texas; providing the Act shall be in force for a period of five (5) years; repealing all laws in conflict; providing a penalty for the violation of this Act; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 1008, A bill to be entitled "An Act relating to the payment to the County Judges in counties of not less than 7,050 and not more than 7,075 population, according to the last preceding Federal Census, a compensation for the services of such county judges as budget officers of the counties; providing for the payment of such compensation out of the General Fund and/or Officers' Salary Fund of such counties in addition to any and all compensation now provided by law to be paid such county judges; repealing all laws or parts of laws, special and general, in conflict or inconsistent with the provisions of this Act; providing effective date of this Act; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 1010, A bill to be entitled "An Act amending Section 1

of House Bill No. 313, Acts of the Regular Session, Fortieth Legislature, 1927, to change and prescribe the time for holding the terms of District Courts in the 47th Judicial District; and providing for an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1012, A bill to be entitled "An Act authorizing the commissioners court of any county having a population of One Hundred Thousand (100,000) inhabitants, or more, according to the last preceding Federal Census, to issue bonds for the purpose of refunding any and all outstanding indebtedness of such county chargeable against the General Fund which existed on April 30, 1941; providing that items of indebtedness as of said date, in the form of scrip or time-warrants, either or both, may be included in such refunding bond issue; providing that such refunding bonds shall be first authorized by a majority vote cast by the duly qualified property taxpaying voters voting at an election held for that purpose; authorizing the levy of a tax to pay principal and interest on such bonds, and providing that the amount of bonds issued under this Act shall never reach an amount where a tax of Five Cents (5¢) on the one hundred dollars' valuation will not pay current interest and provide a sinking fund sufficient to redeem them at maturity; providing that the General Laws relative to county refunding bonds, not in conflict herewith, shall apply to the issuance, approval and certification, and registration of the bonds provided for in this Act; providing that if any section, clause or phrase of this Act be held unconstitutional, such decision shall not affect the remaining portion of this Act; enacting provisions incident and relating to the subject and purpose of this Act; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1013, A bill to be entitled "An Act to create the Liberty County Conservation and Reclamation District under the authority of Section 59 of Article 16 of the Constitution of Texas, for the purposes authorized by such section of the Constitution, including the control of the flood and storm waters of the Trinity River and other streams and tributaries to prevent recurring floods and destruction of life and property; providing for a name of the district and this Act; providing for directors, organization and other officers, and for the operation of the district, the authority and duty of the officers and employees, and of the district; granting certain rights, privileges, and functions to the district and duties of certain County, District and State officials in connection therewith; providing the method of securing funds and paying indebtedness; providing that no bonds shall be sold or taxes levied unless approved by a majority vote of the qualified property taxpaying voters of the district and the proposition adopted; providing the manner in which bonds may be voted, issued, sold and used; declaring floods in Liberty County to be a public calamity; donating and granting by the State to the District one-half ($\frac{1}{2}$) of the State ad valorem taxes collected in Liberty County for general revenue purposes, provided all other counties in Texas are granted a similar tax donation by Senate Bill No. 5 of the Forty-seventh Regular Session of the Texas Legislature; providing the uses to which such taxes may be put and reports to be made and manner of collection and payment; providing that if any provision of this Act shall be held invalid, the other provisions shall not be affected; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1014, A bill to be entitled "An Act to validate all ad valorem tax levies heretofore made by certain cities and towns in the State of Texas, which levies are unenforceable because of the failure of the governing bodies in such respective cities and towns to make such levies by ordinance, or other procedural defect in levying and assessing taxes; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1015, A bill to be entitled "An Act making it unlawful to hunt, kill, or pursue any wild deer, turkey or antelope in Collingsworth County, Texas; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1016, A bill to be entitled "An Act to amend Sections 1, 5, 6, 7, and 8 of Senate Bill No. 47, Acts Forty-fifth Legislature, Regular Session, carrying into effect Section 46a of Article III of the Constitution of the State of Texas which established a Teacher Retirement System of Texas; by defining words and phrases used in the Act; providing for the creation, management and distribution of the Teacher Savings Fund, the State Membership Accumu-

lation Fund, the Membership Annuity Reserve Fund, the Interest Fund, the Permanent Retirement Fund, the Expense Fund, and the Prior Service Annuity Reserve Fund of said system; providing for retirement of Members and the method and manner of computing and paying retirement benefits and return of contributions; providing the method of financing said system; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1018, A bill to be entitled "An Act applying only to independent school districts in counties having a population of not less than one thousand, eight hundred forty-three (1,843) and not more than one thousand, nine hundred forty-three (1,943) according to the last preceding Federal Census; authorizing said school districts to fund into time warrants all outstanding obligations of said school districts which existed on May 10, 1941; prescribing the terms and conditions of issuance of said time warrants; authorizing said school districts to borrow money in a sum not to exceed Fourteen Thousand Dollars (\$14,000.00) with which to pay certain outstanding obligations; providing for the levying of a tax to pay the same and fixing the rate of interest thereon; prescribing the terms and conditions of said time warrants, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1020, A bill to be entitled "An Act creating a Firemen's Relief and Retirement Fund in cities having a population of 280,000 or more,

according to the preceding or any future Federal Census; creating a board to administer such Fund; providing that the Mayor and City Treasurer or City Secretary, together with three (3) Members of the Fire Department to be selected by a vote of the members of such department, shall compose the Board; providing the Mayor shall be the chairman of said Board and enacting other provisions with reference to the organization and duties of said Board; providing for the segregation of a proportionate part of accumulated funds now in a general pension fund to the Firemen's Relief and Retirement Fund; providing for the appropriation of not less than three (3) per centum of the annual Fire Department pay roll annually to be deposited to this Fund; authorizing the acceptance of contributions to said Fund and for the deposit of earnings on any investment of said Fund; providing for retirement of certain persons who have served actively in organized fire departments in cities coming within the provisions of this Act and for the payment of pensions to such persons based on average monthly salary of such persons being retired for the five-year period preceding their retirement; including persons heretofore issued certificates of retirement within the provisions of this Act; providing for the retirement of active firemen who become physically or mentally disabled while in the performance of duty, in the discretion of the Board, after the filing of a certificate of such disability signed and sworn to be such disabled person and/or the city physician; providing for restoration of service after such disability shall cease; providing for filing of statement under oath by each person desiring to participate in benefits from such fund; authorizing the deduction of not less than one, nor more than three (3) per centum from his salary; providing that failure to file such statement of failure or refusal to allow such deduction shall forfeit his right to participate in such fund; providing for vote of Members of fire departments within thirty (30) days after the effective date of the Act upon the amount of salary to be deducted for this fund; making provision for pension payments to sur-

viving Members of the family of deceased firemen who have been retired because of disability; exempting said fund from seizure or levy by any execution, attachment, etc.; making retirement optional with firemen subject to approval of the board; providing for re-examination of persons retired for physical disability; providing for recall to duty after retirement; providing for discontinuing payment hereunder to persons convicted of a felony and for payment; and so forth, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1021, A bill to be entitled "An Act authorizing the Board of Regents of the Texas State Teachers Colleges located at Commerce, Denton, Huntsville, San Marcos, Nacogdoches, Alpine, and Canyon to purchase certain insurance, etc.; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1022, A bill to be entitled "An Act regulating the taking of bull frogs and disposition of same in El Paso, Hudspeth and Culbertson Counties; providing a license for those propagating bull frogs on private property, and a license for those taking bull frogs; prohibiting the sale of bull frogs that originate in either of said counties with certain exceptions; providing a penalty for violation of this Act; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1023, A bill to be entitled "An Act exempting Truscott Independent School District of Knox County from county supervision, providing for a separate depository; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1026, A bill to be entitled "An Act conferring upon the Board of Regents of the Texas State Teachers Colleges the power of eminent domain to acquire land for the use of the colleges; exempting said Regents from depositing bond as provided in Section 2 of Article 3268, Revised Civil Statutes of Texas of 1925; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1029, A bill to be entitled "An Act authorizing and empowering the Commissioners Court in counties having a population of more than three hundred and fifty thousand (350,000) and less than four hundred and fifty thousand (450,000) inhabitants, according to the last preceding Federal Census, to purchase fire trucks and other fire-fighting equipment for the protection and preservation of bridges, warehouses, shops, and other property located without the limits of any incorporated city or town; authorizing and empowering the Commissioners Court to enter into contracts with any centrally located city

in the county for the operation and maintenance of any such fire trucks and equipment; providing that the provisions of this Act are cumulative of all of the laws other than special laws; providing that in the event any section, subdivision, paragraph, sentence, or clause be held unconstitutional, that the remaining portions thereof shall be valid; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1031, A bill to be entitled "An Act regulating fishing in Val Verde County; providing the gear or tackle that may be used; providing an open season; providing a bag or possession limit for different varieties of fish that may be taken; and providing a total bag or possession limit; providing the length of different varieties of fish that may be taken; excepting the Pecos River, the Rio Grande River, and San Felipe Creek from the provisions of this Act; providing a penalty for violating any provisions of this Act; repealing conflicting laws; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1032, A bill to be entitled "An Act providing that candidates for nomination for State Representative in a primary election in certain counties shall be required to pay a fee not to exceed Thirty Dollars (\$30.00) to the County Executive Committee; repealing all laws in conflict; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 140, Asking permission to suspend the Joint Rules and bring up House Bill No. 909 for consideration on Senate Bill Day.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 721, A bill to be entitled "An Act fixing limitations on revocations, countermands of payments, and stop payment orders relating to the payment of any check or draft against bank accounts; repealing all laws in conflict; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 15, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 144, Granting each House permission to adjourn from Thursday, May 15th, until Monday, May 19th.

Has carefully compared same and finds it correctly engrossed.

SMITH of Bastrop, Vice Chairman.

Austin, Texas, May 15, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 146, Authorizing the Enrolling Clerk of the House to amend the caption of House Bill No. 411.

Has carefully compared same and finds it correctly engrossed.

SMITH of Bastrop, Vice Chairman.

Austin, Texas, May 14, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 515, A bill to be entitled "An Act applicable to the County of Tom Green, State of Texas, prohibiting the transportation of minnows beyond the borders of said county for the purpose of sale; limiting the number of minnows to be transported beyond the limits of said county; prohibiting the use of trotlines or throwlines containing more than twenty-five (25) hooks; limiting the use of such lines to a maximum of two such lines to any person or group of persons; providing for a closed season on fishing in said county, with certain exceptions."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 15, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 142, Suspending the Joint Rules so that the House may bring up for third reading and final passage House Bill No. 42.

Has carefully compared same and finds it correctly engrossed.

SMITH of Bastrop, Vice-Chairman.

Austin, Texas, May 15, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 141, Inviting Gene Autry to address a Joint Session of the Texas Legislature.

Has carefully compared same and finds it correctly engrossed.

SMITH of Bastrop, Vice-Chairman.

Austin, Texas, May 15, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 228, A bill to be entitled "An Act amending House Bill No. 558, Chapter 178, Acts, Forty-fourth Legislature, to include the Counties of San Augustine, Sabine, and Shelby in said experimental stations in Southeast Texas; providing a saving clause; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

SMITH of Bastrop, Vice-Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Austin, Texas, May 15, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 25, "An Act amending Chapter 277, Acts of the Regular Session of the Forty-second Legislature as heretofore amended, by adding Sections 1a and 1b thereto; excepting from the definition of "Motor Carrier" and "Contract Carrier" certain persons, firms, and corporations; exempting certain persons, firms, and corporations transporting under certain circumstances and conditions their own employees, property, or property in which they have an interest as consignee or agent; defining a private motor vehicle owner; exempting private motor vehicle owners from said Act; providing for the repeal of all laws and parts of laws in conflict with this Act; providing that if any section, clause, or provisions of this Act be held unconstitutional or invalid, it shall not affect the remaining portions; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 15, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 98, "An Act Authorizing and directing the Board of Regents of the University of Texas to request the War and Navy Department of the United States to establish and maintain military and naval training at

said institution; and authorizing the Board of Regents to enter into contracts for such purposes; authorizing the Board of Regents to establish regulations as to credit toward degree requirements; providing the training shall not be required for entrance or graduation; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 15, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 123, "An Act providing for the revision and compilation of the abstracts of patented, titled, and surveyed land by the Commissioner of the General Land Office; making an appropriation for the printing and binding of same; providing for the distribution and sale of same by the Comptroller of Public Accounts; providing such binding and printing is to be done within this State; providing the Act shall not affect laws pertaining to preparation, printing, and distribution of supplementary abstract volumes; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 15, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 193, "An Act Amending Section 1 of House Bill No. 94, Acts, First Called Session Forty-third Legislature, page 223, Chapter 84, and Articles 29 and 29a of Title 1 of the Revised Civil Statutes of Texas of 1925, so as to define publication, newspaper, political subdivision, district, and other terms; designating persons to select newspapers in which publications are to be inserted, and clarifying the laws of Texas concerning same; fixing a legal rate for publications in newspapers; providing for the publication of notices, proclamations, advertising, and citations in

newspapers; and amending Article 3808 of Title 56 of the Revised Civil Statutes of Texas of 1925, Article 4203 of Chapter 8, Title 69 of the Revised Civil Statutes of Texas of 1925, Article 7276 of Chapter 8, Title 122 of the Revised Civil Statutes of Texas of 1925, and Article 7342 of Chapter 10, Title 122 of the Revised Civil Statutes of Texas of 1925, with respect to the legal rate of publication so as to conform with Article 29 and 29a as amended herein, and re-enacting such Statutes as amended; providing a rule of construction; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 15, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 202, "An Act amending Article 3148, Revised Civil Statutes of Texas, 1925, so as to provide for the service of notice in a primary election contest upon the opposing candidate, by providing that such notice may be served upon the agent or attorney of the opposing candidate, or by leaving the notice with some person over the age of sixteen (16) years at the usual place of residence or business of the opposing candidate, or his last address; providing a date for hearing; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 15, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 203, "An Act amending Article 3152, Revised Civil Statutes of Texas, 1925, as amended by Acts 1927, Fortieth Legislature, Chapter 19, and as further amended by Acts 1931, Forty-second Legislature, Chapter 241, providing for the service upon the contestee in a primary nomination contest of a copy of the

grounds of contest together with the notice of the date set for hearing by providing that service may be had upon the agent or attorney of the contestee, or by leaving such notice with some person over the age of sixteen (16) years at the usual place of residence or business of the contestee, or his last address, providing for one postponement and jurisdiction of same; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 15, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 251, "An Act making an appropriation for the use of the San Antonio River Canal and Conservancy District; providing manner for signing warrants; providing that any unexpended balance on August 31, 1943, be repaid to the State of Texas; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 15, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 392, "An Act making an emergency supplemental appropriation for the sum of Seven Thousand, Three Hundred and Seventy-five Dollars (\$7,375) for certain divisions of the State Department of Education; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 15, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 440, "An Act to make it unlawful to shoot, kill, maim, injure, molest, entrap, or detain an Antwerp

Messenger or Homing Pigeon, commonly called a "carrier pigeon"; making it unlawful for person other than owner to remove or alter any stamp or identification mark; and to provide a penalty for the violation thereof; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 15, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 866, "An Act making an appropriation out of the State Highway Fund for refunding donations made for the purpose of making surveys and investigation on Highway No. 22, which work was never accomplished; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 15, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 139, Granting the House permission to suspend the Joint Rules and take up and consider House Bill No. 228.

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

SENT TO THE GOVERNOR

May 15, 1941

House Bill No. 902.

House Bill No. 391.

House Bill No. 753.

House Bill No. 392.

House Bill No. 202.

House Bill No. 866.

House Bill No. 203.

House Bill No. 123.

House Bill No. 251.

House Bill No. 25.

House Concurrent Resolution No. 139.

In Memory of Honorable John M. Armour

Mr. Phillips offered the following resolution:

H. S. R. No. 271, In Memory of Honorable John M. Armour.

Whereas, On the 14th day of May, 1941, the Great Architect of the Universe called to rest from his earthly labor the Honorable John M. Armour of San Antonio, Texas; and

Whereas, The said John M. Armour was born on September 29, 1871, and lived a long, useful and active life in his allotted three score and ten years; and

Whereas, The said John M. Armour was a man possessed of a lovable and admirable personality and possessed of splendid traits of character, civic-minded at all times and ever ready to serve his fellow man; and

Whereas, In the passing of this distinguished citizen his State and community have suffered the loss of a fine character and a truly honorable and loyal citizen and friend; now, therefore, be it

Resolved, by the House of Representatives, That the House acknowledge with deep regret the passing of this distinguished citizen of Texas and that a copy of this resolution be spread upon the memorial pages of the House Journal as a token of love and esteem with which he was held; and be it further

Resolved, That the Chief Clerk of the House of Representatives be directed to send the family of the deceased a copy of this resolution under the Seal of the House, and that when the House adjourns today it do so in tribute to this distinguished citizen.

PHILLIPS.

The resolution was read second time.

Signed—Leonard, Speaker; Allen, Allison, Alsup, Anderson, Avant, Bailey, Baker, Bean, Bell, Benton, Blankenship, Boone, Brawner, Bray, Bridgers, Brown, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carlton, Carrington, Cato, Celaya, Chambers, Clark, Cleveland, Coker, Mrs. Colson, Connelly, Craig, Crossley, Crosthwait, Daniel, Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett, Dwyer, Ellis, Eubank, Evans, Favors, Ferguson, Miss Files, Fitzgerald, Fuchs, Gandy, Garland, Gilmer, Goodman, Halsey, Hanna, Hardeman, Hargis, Harris of Dallas, Harris of Hill, Hartzog, Heflin, Helpinstill, Henderson, Hileman, Hobbs, Howard, Howington, Hoyo, Huddleston, Huffman, Hughes, Humphrey, Hutchinson, Isaacks, Jones, Kelly, Kennedy, Kersey, Kinard, King, Klingeman, Knight, Lansberry, Lehman, Leyendecker, Little, Lock, Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McGlasson, McLellan, McMurry, McNamara, Manford, Manning, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morris, Morse, Murray, Nicholson, Pace, Parker, Pevehouse, Price, Rampy, Reed of Bowie, Reed of Dallas, Rhodes, Ridgeway, Roark, Roberts, Sallas, Senterfitt, Sharpe, Shell, Simpson, Skiles, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stanford, Stinson, Stubbs, Taylor, Thornton, Turner, Vale, Voigt, Walters, Wattner, Weatherford, White, Whitesides and Winfree.

On the motion of Mr. Hoyo, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted by a rising vote.